

PLANNING COMMITTEE

Thursday 29 November, 2018 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Bird (Chair)
Councillor M. Nazir (Vice Chair)
Councillor Allen
Councillor Butler
Councillor Cooper
Councillor Creaney
Councillor Harris
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rattigan
Councillor Rochelle
Councillor Samra
Councillor Sarohi
Councillor Ward

2103/18 Apologies:

Apologies for non-attendance were submitted on behalf of Councillors Craddock, Perry and Singh Sohal.

2104/18 Minutes

Resolved

That the minutes of the meeting held on 1 November, 2018, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record, subject to the following amendment:-

- Minute 2093/18 – application number 17/141/OL – reference to ‘25 dwellings’ to be deleted and replaced with ‘252 dwellings’.

2105/18 Declarations of Interest

Councillor Samra declared an interest in agenda item no. 11 – Prosecution for non-compliance.

Councillor Bird declared an interest in agenda item no. 11 – Prosecution for non-compliance.

2106/18 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

2107/18 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items for consideration in private session.

2108/18 **Application to Remove 4 Protected Sycamore Trees at Drayton Close, WS1 3JR**

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

(see annexed)

The Committee then welcomed the first speaker on this application, Elizabeth Mitchell, who wished to speak in objection to the officers' recommendations.

Ms Mitchell informed Committee advised that the roots of the trees in question were a problem, the trees caused loss of light to residents in Drayton Close and that branches were very close to nearby properties.

The Committee then welcomed the second speaker on this application, Dawn Pilbeam, who also wished to speak in objection to officers recommendations.

Ms Pilbeam stated that T2 was the worst tree and queried whether the correct map had been distributed with the agenda. She stated that no one knew who owned the trees and questioned why residents had to pay for work to be undertaken to the trees if they weren't situated on their property and also confirmed that they wanted the trees felled. In addition, she suggested that the council should work with residents to pay and undertake maintenance works to the trees.

The Committee then welcomed the final speaker on this application, Helen Musgrove, who wished to speak in support of retaining the trees.

Ms Musgrove advised Committee that she had lived at Drayton Close for 40 years. Removing the trees would have a huge impact on residents as the trees provided a privacy screen and prevented overlooking from nearby town houses.

There then followed a period of questioning by members to the speakers and officers. Clarity was sought as to the owners of the site on which the trees were situated. In response, the Chair confirmed that ownership was a civil matter and suggested that the residents may wish to undertake a search with the Land Registry.

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

That the application to Remove 4 Protected Sycamore Trees at Drayton Close, WS1 3JR be part approved and part refused as detailed within paragraph 13 of the report as submitted.

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

Resolved

That the application to Remove 4 Protected Sycamore Trees at Drayton Close, WS1 3JR be part approved and part refused as detailed within paragraph 13 of the report as submitted.

2109/18 **78-80 Noose Lane, Willenhall – report of the Head of Planning, Engineering and Transportation**

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

(see annexed)

The Committee then welcomed the only speaker on this item, Mr. Peart, who wished to speak in objection to the enforcement action on his land.

Mr. Peart advised Committee that he had lived at the property for 10 years; the site had improved since the photographs had been taken; he collected classic cars; he wasn't the only person with a high fence on the street.

There then followed a period of questioning by members to the speaker and officers. Clarity was sought as to the date the photograph was taken, the height of the front fence and whether the owner operated a business from the site.

In response, officers advised that the photographs were taken on 6th September, 2018 and that the fence was between 1.9 and 2.5 metres high which would require planning permission. Mr Peart confirmed that he did not operate a business from the site.

Members considered the application further and Councillor Ward **moved** and it was duly **seconded** by Councillor Nawaz;

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.
2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.

3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that 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 of the recommendations.

Resolved

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.
2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.
3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that accurate and up to date notices are served.

2110/18 7 Eastbourne Street, Walsall, WS4 2BN

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

(see annexed)

The Committee then welcomed the only speaker on this item, Councillor Russell who wished to speak in support of enforcement action on the land.

Councillor Russell advised committee that she was in support of enforcement action emphasizing that the site had submitted a number of retrospective applications which had been rejected by the council and planning inspectorate. The development was not compliant with national policy and officer advice had been ignored by the owners who were now in breach of planning control.

There were no questions for the speaker or officers.

Members considered the application further and Councillor Bird **moved** and it was duly **seconded** by Councillor Harris;

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and

Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.

2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.
3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that 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 of the recommendations.

Resolved

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.
2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.
3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that accurate and up to date notices are served.

2111/18 Harvey's Autos – 126 Stafford Street, Walsall

Councillor Jones left the room and did not take part nor vote in the application.

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

(see annexed)

The Committee then welcomed the only speaker on this item, Mr. Lawson, who wished to speak in objection to the enforcement action on the land (on behalf of his clients).

Mr. Lawson advised Committee the sale of vehicles on the site was not disputed but clarified that the site had been used to sell vehicles since 2001. It was clear

that since that time car sales had escalated, particularly in the past few months. He further advised that the site had not been tested for car sales via a planning application process. He and his clients were pulling together an application for submission to do so. He stated that his clients would appeal a decision to take enforcement action (which would cost the council money) and suggested the matter should be put on hold pending the outcome of the planning application.

There then followed a period of questioning by members to the speaker and officers, which included whether:-

- the site had previously been used for car sales (noting that the onus to provide such evidence rests with the owners);
- Mr Lawson agreed that the site was on a busy road;
- the pub had a car park originally; and whether
- the owner of that building was the same as that of the car sales site.

In response, Mr Lawson advised that the road was busy but the reason for that were not clear. He also advised that a number of affidavits had been submitted to the council regarding the historical use but that these had not been accepted by the Council. Officers confirmed that the owner was the same for both sites and that the original pub had a parking layout agreed that was no longer in place.

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

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.
2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.
3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that 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 of the recommendations.

Resolved

1. That authority be granted to the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in 3.2.

2. That authority be granted to the Head of Planning, Engineering and Transportation to institute prosecution proceedings in the event of non-compliance with an Enforcement Notice.
3. That authority be granted to the Head of Planning, Engineering and Transportation to amend, add to, or delete from the wording set out within the report stating the nature of the breaches, the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site, in the interests of ensuring that accurate and up to date notices are served.

2112/18 Application List for Permission to Develop

Councillor Jones returned to the room

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 and the Chair, at the beginning of each item for which there were speakers, confirmed they had been advised of the procedure whereby each speaker would have two minutes to speak.

**2113/18 PLANS LIST ITEM 11 – APPLICATION NUMBER 18/1051 - SECTION 73
APPLICATION: VARIATION OF CONDITION 2 OF 15/1635. ADDITION OF
SIDE DOOR AND WINDOW, MODIFICATION OF WINDOWS AND CHIMNEY
AND EXTEND SOUTH ELEVATION BY 0.45M AND RE-ORIENTATION OF
THE DWELLING**

The Presenting Officer advised 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 Edmunds, who wished to speak in objection to the officers' recommendations.

Mr Edmunds informed Committee that he hadn't been notified by the planning authority of the final plans which showed a re-positioned, re-oriented building which placed it closer to streetly wood. He also raised concerns on traffic grounds as the property was 12 metres away from the road that included a small island. He emphasised that the new building had been re-sited and was taller and broader than that originally approved and so was not minor in nature. He indicated that the revised dwelling would loom over Castleguard (the neighbouring property) and that trees subject to Tree Preservation Orders had been removed.

The Committee then welcomed the second speaker on this application, Councillor Kudhail, who also wished to speak against officers recommendations.

Councillor Kudhail stated that the revised plans were not a variation but a way in which the applicants were seeking to achieve the original application, which had been refused in 2014.

The Committee then welcomed the final speaker on this application, Mr Timothy, who wished to speak in support of officers recommendation.

Mr Timothy advised Committee that it was a minor amendment in line with planning guidance. He clarified that there would be no impact on the area or neighbouring property and that the revised plans were totally different to those submitted in 2014.

There then followed a period of questioning by Members to the speakers and officers, which included queries regarding why the build had commenced prior to permission being granted, whether Mr Edmunds had objected to the original proposal and by how many degrees the building had been re-orientated.

In response, Mr Timothy confirmed that only the base had been completed before work stopped pending a decision by planning. Mr Edmunds confirmed that he had objected to the original proposal but not the second proposal as he hadn't been notified. Officers advised Committee that the building had been re-orientated by 4 degrees.

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

That planning application number 18/1051 be granted subject to conditions as set out in the report and supplementary report.

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 **18/1051** be granted for the reasons as set out in the report and supplementary paper.

2114/18 PLANS LIST ITEM 2 - APPLICATION NUMBER 17/1131 - PART DEMOLITION OF EXISTING RETAIL UNITS AND ERECTION OF 2 X A1 RETAIL UNITS WITH STORAGE AND GYM AT FIRST FLOOR AND CAR PARKING AND SERVICE AREA TO THE REAR - SHOPPING PRECINCT AT, RAVENS COURT, BROWNHILLS, WALSALL, WS8 6EJ

The Presenting Officer advised 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 Ferguson, who wished to speak in support of the officers' recommendations.

Councillor Ferguson informed Committee that he welcomed the proposal which would remove an existing eye-sore and improve facilities for local residents.

The Committee then welcomed the second speaker on this application, Councillor Wade, who also wished to speak in support of officers recommendations.

Councillor Wade stated that the site had been in a poor state of repairs for many years and been subject to anti-social behaviour and fly tipping. He welcomed the proposal which would regenerate the area and provide jobs within the community.

There then followed a period of questioning by Members to officers in which they queried whether any enforcement action was being taken.

In response, officers advised Committee that the enforcement case was still open although it was not being pursued as some work had been undertaken at the site.

Members considered the application in detail. The Chair suggested that in light of the need to improve the site a shorter permission for works to commence should be considered by committee.

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

That the Head of Planning, Engineering and Transportation be delegated authority to grant planning application number **17/1131** subject to no new material considerations being received within the consultation period; the amendment and finalising of conditions. Addressing the issue regarding the ecology reports. Submission of existing cross sections for the site and amendment of Condition 1 to reduce the time limit to 2 years.

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

Resolved

That the Head of Planning, Engineering and Transportation be delegated authority to grant planning application number **17/1131** subject to no new material considerations being received within the consultation period; the amendment and finalising of conditions. Addressing the issue regarding the ecology reports. Submission of existing cross sections for the site and amendment of Condition 1 to reduce the time limit to 2 years.

2115/18 **PLANS LIST ITEM 5 - APPLICATION NUMBER 15/1883 - DEMOLITION OF EXISTING RETAIL UNIT AND OUTLINE PLANNING PERMISSION (TO CONSIDER THE ACCESS, APPEARANCE, LAYOUT AND SCALE) FOR THE ERECTION OF A TWO STOREY DEVELOPMENT COMPRISING OF A RETAIL UNIT AND 9 APARTMENTS FRONTING STAFFORD STREET AND FOX AVENUE - 74 & 75, STAFFORD STREET, WILLENHALL, WV13 1RT**

The Presenting Officer advised 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 wished to speak in support of the officers' recommendations.

Councillor Coughlan informed Committee that he supported the development of the site subject to the matter in relation to re-siting the lamppost being resolved to the satisfaction of both developer and the council. He noted the additional concerns in relation to parking in Croft Street but did not feel this would have any impact.

The Committee then welcomed the second speaker on this application, Mr Gupta, speaking on behalf of the applicants, who also wished to speak in support of officers recommendations.

Mr Gupta advised that the proposal would compliment Stafford Street. The applicants had worked with the council for many years to agree on a suitable proposal for the site.

There then followed a period of questioning by Members to the speakers and officers, which included queries regarding the relocation of the lamppost and clarity with regard to the un-adopted road.

In response, Mr Gupta confirmed that his clients were not minded to pay for the relocation of the lamppost as it was currently situated on an un-adopted road. Should it be moved within the boundary of the site they did not wish to be responsible for its future maintenance. Officers advised Committee the cost of relocating a lamppost was circa £1.5k and that discussions had been held with the applicant to work with the Council to bring Fox Avenue up to an adoptable standard. The applicant had declined to consider this proposal.

The Chair suggested that further work be undertaken by officers in relation to Fox Street noting that the Council had powers to compulsory purchase the road, if required, in order to be able to undertake the necessary works to bring it up to an adoptable standard.

Members considered the application in detail.

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

That the Head of Planning, Engineering and Transportation be delegated authority to grant outline planning permission in respect of

planning application number 15/1883 subject to the amendment and finalising of planning conditions.

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

Resolved

That the Head of Planning, Engineering and Transportation be delegated authority to grant outline planning permission in respect of planning application number 15/1883 subject to the amendment and finalising of planning conditions.

2116/18 **PLANS LIST ITEM 6 - APPLICATION NUMBER 18/1189 - INSTALLATION OF 10 SIGNS INCLUDING 2 X ILLUMINATED TOTEM SIGNS AT MAIN ENTRANCE, 2 X ILLUMINATED TOTEM DIRECTIONAL SIGNS AROUND CAMPUS, 2 X ILLUMINATED UNIVERSITY LOGO SIGNS TO THE PERFORMANCE HUB BUILDING, 2 X ILLUMINATED UNIVERSITY LOGO SIGNS TO THE SAMUEL JOHNSON BUILDING, 1 X NON-ILLUMINATED UNIVERSITY LOGO SIGN AND 1 X NON-ILLUMINATED BUILDING NAME SIGN TO THE SISTER DORA BUILDING - UNIVERSITY OF WOLVERHAMPTON, WALSALL CAMPUS, WALSALL CAMPUS, GORWAY ROAD, WALSALL, WS1 3BD**

Councillor Oliver Butler left the room at this juncture and did not take part or vote in the matter

The Presenting Officer advised 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 Bradley, who wished to speak in support of the officers' recommendations.

Mr Bradley informed Committee that signs would be illuminated from 6.00 a.m. to 9.00 a.m. and 4.00 p.m. to 10.00 p.m.

Members considered the application in detail

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

That planning application number 18/1189 be approved subject to the conditions as contained within the supplementary paper.

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

Resolved

That planning application number 18/1189 be approved subject to the conditions as contained within the supplementary paper.

2117/18 PLANS LIST ITEM 8 - APPLICATION NUMBER 18/0828 - DEMOLITION OF EXISTING BUNGALOW, CONSTRUCTION OF CLASS C2 CARE HOME TO ACCOMMODATE 4 ADULTS WITH PHYSICAL AND LEARNING DIFFICULTIES - 161, ASTON ROAD, WILLENHALL, WV13 3BY

Councillor Butler returned to the meeting.

The Presenting Officer advised 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 wished to speak in objection to the officers' recommendations.

Councillor Coughlan informed Committee that he spoke on behalf of residents who felt misled by the applicants having been advised throughout the process that the building would be replaced 'like for like' which was not the case. He added that the proposal was a money making venture and that some of Willenhalls history, an Anderson Shelter in the rear of the property, would be lost. In addition, there was a workshop in the rear of the property containing a number of artefacts.

The Committee then welcomed the second speaker on this application, Silvia Wood, who also wished to speak in objection to officers recommendations.

Silvia Wood raised concerns relating to the environment as Aston Road was used as a rat run by drivers. In addition, there would be insufficient parking at the site made more problematic at staff changeover times. The proposed building was not attractive or sensitive to the surrounding area. The residents had been treated with contempt and would be affected during the build. The proposed use would be an invasion of residents lifestyles.

The Committee then welcomed the final speaker on this application, Mr Harrison, who wished to speak in support of officers recommendation.

Mr Harrison advised Committee that the aim of the proposal was to provide accommodation for residents of Walsall, currently living outside of the borough due to lack of facilities within the borough, to return. He confirmed that the original intention was to refurbish the existing building but, due to vandalism on 3 separate occasions and subsidence, this was no longer viable. They had worked with registered social landlords to develop the site and the build itself was not a commercial project. The business would be through the care element provided which would generate income and provide 20/30 jobs.

There then followed a period of questioning by Members to the speakers and officers, which included queries regarding highway concerns, the number of staff on duty and age of occupants and the specific use required.

In response, Mr Harrison confirmed that there had been no objections by the highways officer and that there would be between 2/3 staff during the day and other staff at night. Occupants would be vulnerable individuals between 18-65 that required additional support. Work had been undertaken with the Clinical Commissioning Group and two individuals both aged 20 had been identified for a placement. Officers advised that the main use was as a care home and whilst it would have an office this was ancillary to the main use as a care home which was C2.

Members considered the application in detail.

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

That planning application number 18/0828 be granted subject to conditions as contained in the report submitted.

The Motion, having been put to the vote was declared lost, with 6 Members voting in favour and 7 against.

The Chair sought reasons for refusal from members of the Committee.

Councillor Cooper **moved** and it was duly **seconded** by Councillor Nawaz-

That planning application number 18/0828 be refused as the development would have an adverse impact on adjoining properties, be an incongruous feature in the street scene and constitutes an unacceptable introduction of business use into a residential area.

The Motion, having been put to the vote was declared carried, with 9 Members voting in favour and 3 against.

Resolved

That planning application number 18/0828 be refused as the development would have an adverse impact on adjoining properties, be an incongruous feature in the street scene and constitutes an unacceptable introduction of business use into a residential area.

2118/18 PLANS LIST ITEM 9 - APPLICATION NUMBER 18/0764 - ERECTION OF NEW TWO BEDROOM BUNGALOW - LAND AND GARAGES ON SLATERS LANE TO REAR OF 90 SHERIDAN ST, SLATERS LANE, WALSALL, WS2 9AQ

The Presenting Officer advised 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 Stewart, who wished to speak in support of officers' recommendations.

Mr Stewart informed Committee that 2 previous outline applications had been rejected due to the impact. The current application had been submitted following detailed discussions with the case officer and now met the required criteria.

Members considered the application in detail.

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

That planning application number 18/0764 be approved subject to conditions as detailed within the report as 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 number 18/0764 be approved subject to conditions as detailed within the report as submitted.

2119/18 **PLANS LIST ITEM 10 - APPLICATION NUMBER 16/1888 - REDEVELOPMENT OF REDUNDANT EQUESTRIAN CENTRE (D2) TO RESIDENTIAL DEVELOPMENT OF 5 DWELLINGS USE C3 - LAND REAR OF 127, LONGWOOD ROAD, ALDRIDGE, WALSALL**

The Presenting Officer advised 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 Pointon, who wished to speak in support of the officers' recommendations.

Mr Pointon informed Committee that access to the site was unacceptable and led to a risk of accidents, there had been numerous objections and a petition, the development would lead to increased traffic on Longwood Lane and encroached the green belt.

The Committee then welcomed the second speaker on this application, Mrs Dulai, who also wished to speak in support of officers recommendations.

Mrs Dulai said the development would ruin the area, that profit was the only motivation for the application and that the proposed traffic light system was not acceptable. In addition, she stated that development of the site could lead to flooding issues.

The Committee then welcomed the final speaker on this application, Mr Reynolds, who wished to speak in objection to officers recommendation.

Mr Reynolds advised Committee that the application was outline only and would bring a brownfield site into residential use. He stated that concerns regarding fire

tender were unfounded as new developments were required to have sprinkler systems installed.

Members considered the application in detail.

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

That planning application number 16/1888 be refused for the reasons as set out in the report as 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 number 16/1888 be refused for the reasons as set out in the report as submitted.

- 2120/18 **PLANS LIST ITEM 1 - APPLICATION NUMBER 18/0832 - HYBRID APPLICATION: DETAILED CONSENT FOR B1A (OFFICES) AND B8 (STORAGE) BUILDING AND ASSOCIATED WORKS. OUTLINE CONSENT FOR B2 UNITS - ALL MATTERS RESERVED. AFFECTS A RIGHT OF WAY - LAND SOUTH OF VILLAGE HOTEL, TEMPUS DRIVE, WALSALL**

Resolved

That planning application number 18/0832 be granted subject to conditions as set out in the supplementary paper.

- 2121/18 **PLANS LIST ITEM 3 - APPLICATION NUMBER 18/0865 - 407 NEW DWELLINGS WITH ASSOCIATED LANDSCAPING AND PARKING FOR PRIVATE SALE, AFFORDABLE RENT AND FOR OLDER PERSONS (WELLBEING) (AMENDMENT TO APPLICATION 16/1515) (SITE AFFECTING PUBLIC FOOTPATHS WAL 26 & 28) - SITE B GOSCOTE LANE (GOSCOTE LODGE CRESCENT), WALSALL**

Resolved

That the Head of Planning, Engineering and Transportation be delegated authority to grant planning permission in respect of planning application number 18/0865 subject to conditions and a S106 Agreement for affordable housing and subject to the amendment and finalising of conditions and no further comments from statutory consultees raising material planning considerations not previously addressed.

2122/18 **PLANS LIST ITEM 4 - APPLICATION NUMBER 18/0867 - ERECTION OF 51 RESIDENTIAL UNITS INCLUDING ACCESS, PARKING AND AMENITY AREAS - W H MARREN LTD, TEMPLE BAR, WILLENHALL, WV13 1SD**

Resolved

That the Head of Planning, Engineering and Transportation be delegated authority to grant planning permission in respect of planning application number 18/0867 subject to conditions and a 106 agreement for affordable housing and open space contributions unless a viability assessment demonstrates that the requirements render the scheme unviable, subject to a section 106 agreement for ongoing landscape management and subject to:

- i. The amendment and finalising of conditions;
- ii. No further comments from a statutory consultee raising material planning considerations not previously addressed;
- iii. Overcoming the outstanding objections raised by Tree Officers.

2123/18 **PLANS LIST ITEM 7 - APPLICATION NUMBER 17/0979 - PROPOSED RE-DEVELOPMENT OF EXISTING FORMER CAR PARK TO PUBLIC HOUSE TO CONSIST OF THE ERECTION OF 3 NO. 5 BEDROOM DWELLINGS, INSTALLATION OF PUBLIC GREENWAY ROUTE, IMPROVEMENTS TO EXISTING BOUNDARY TREATMENTS AND LANDSCAPE WORKS - THE SNEYD, 67, VERNON WAY, BLOXWICH, WALSALL, WS3 2LU**

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

(see annexed)

Members considered the application in detail.

Councillor Allen **moved** and it was duly **seconded** by Councillor Samra:-

That planning application number 17/0979 be granted subject to conditions to address planning considerations including the removal of permitted development rights as the:

- Site is in desperate need of redevelopment for the benefit of the wider community.
- This site has been redundant for a number of years.
- The site has seen increased numbers of Antisocial Behaviour.
- The site has been a cause for numerous cases of fly tipping.
- The site in questions is previously developed land, and is in desperate need for development.
- Residents are fully in support of the application.

The Motion, having been put to the vote was declared carried, with 14 Members voting in favour and 1 against.

Resolved

That planning application number be granted subject to conditions to address planning considerations including the removal of permitted development rights as the:

- Site is in desperate need of redevelopment for the benefit of the wider community.
- This site has been redundant for a number of years.
- The site has seen increased numbers of Antisocial Behaviour.
- The site has been a cause for numerous cases of fly tipping.
- The site in questions is previously developed land, and is in desperate need for development.
- Residents are fully in support of the application.
- The proposals demonstrate the best use of land, and bring forward the currently underused land.

2124/18 **PLANS LIST ITEM 12 - APPLICATION NUMBER 18/1180 – RETENTION OF SINGLE STOREY REAR EXTENSION PLUS RAMP DOWN TO REAR GARDEN LEVEL - 49, GREEN LANE, LEAMORE, WALSALL, WS3 2BN**

Resolved

That planning application number 18/1180 be granted subject to conditions as set out in the supplementary report.

2125/18 **Private Session**

Exclusion of public

Resolved

That during consideration of the remaining item on the agenda, the Cabinet considers that the item for consideration is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the item in private.

2126/18 **Enforcement Action**

Councillor Bird and Samra, having declared an interest, left the room and did not return.

(Exempt information under paragraphs 6 and 7 of Part I of Schedule 12A of the Local Government Act 1972) (as amended)

Resolved

- i. That the Head of Planning Engineering and Transportation be authorised to institute prosecution proceedings, due to non compliance with the Section 215 Notice; and
- ii. That the Head of Planning Engineering and Transportation be delegated authority to undertake direct action to secure compliance with the notice if the prosecution proceedings fail to seek full compliance with the notice.

2127/18 Enforcement Action

(Exempt information under paragraphs 6 and 7 of Part 1 of Schedule 12A of The Local Government Act, 1972) (as amended)

Resolved

That the report be noted.

Termination of meeting

There being no further business, the meeting terminated at 8.15pm

Signed

Date