

PLANNING COMMITTEE

6th February, 2020 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Bird (Chair)
Councillor Perry (Vice Chair)
Councillor P. Bott
Councillor Chattha
Councillor Craddock
Councillor Creaney
Councillor Harris
Councillor Harrison
Councillor Hicken
Councillor Rasab
Councillor Robertson
Councillor Samra
Councillor Sarohi
Councillor Statham
Councillor Waters

20/20

Apologies

Apologies were submitted on behalf of Councillors Murray, Nawaz, M. Nazir and Underhill.

21/20

Minutes

Resolved

That the minutes of the meeting held on 9th January, 2020, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

Arising from a discussion on the minutes, the Chair instructed Officers to provide Councillor Bott with an update on the land adjacent 26 Bradley Lane, which he was still awaiting. Officers advised that an update had been sent via email directly to Councillor Bott and that they would follow this up by way of sending a hard copy through the post as well.

22/20

Declarations of Interest

Councillor Perry declared a non-pecuniary interest in Agenda Item No. 8, but reserved his right to speak on the matter.

23/20 **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

24/20 **Local Government (Access to information) Act, 1985 (as amended)**

Exclusion of Public

Resolved

That, where applicable, during consideration of the relevant item(s) on the agenda, the Committee considers that the relevant item(s) for consideration are exempt information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider those item(s) in private.

25/20 **Procedural Matter – Planning Minutes**

A report was submitted.

(see annexed)

The Clerk presented the report and highlighted the salient points contained therein.

The report brought a procedural matter to the Committee's attention in relation to the minutes of the meeting held on 28th November, 2019, and sought approval to amend said minutes to correct the inaccuracy which had subsequently been identified.

Resolved that the record of Minute No. 2318/19 relating to Planning Application No. 19/0768 (The Armstrong Building, c/o the Green & Booth Street, Darlaston, WS10 8JP - demolition of existing building and erection of 24 new affordable residential units, access, landscaping and associated works) be amended from the following: -

"That planning application no. 19/0768 be delegated to the Head of Planning, Engineering and Transportation to grant permission subject to: -

- 1. resolving pollution control concerns regarding noise;*
- 2. the confirmation of a section 106 legal agreement to protect 25% of the development for affordable housing triggered if the development is sold for open market housing or via the right to buy;*
- 3. provide a section 106 contribution of £31,185 for open space in the vicinity;*
- 4. landscape management plan for the 'in-perpetuity maintenance' of the hard and soft landscaping within the development site."*

And replaced with the following: -

“That planning application no. 19/0768 be delegated to the Head of Planning, Engineering and Transportation to grant permission subject to amended conditions and: -

- 1. the confirmation of a Section 106 legal agreement to provide 25% affordable housing (6 houses, being a mix of 2 and 3 bed as 4 social rent and 2 shared ownership) to be retained in perpetuity;*
- 2. the provision of an urban open space Section 106 contribution of £31,185 for Owen Park;*
- 3. a landscape management plan for the in perpetuity maintenance of the hard and soft landscaping within the development site.”*

26/20

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 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.

27/20

PLANS LIST ITEM NO. 2 – 18/0097 – MANOR PRIMARY SCHOOL, BRIAR AVENUE, STREETLY, SUTTON COLDFIELD, B74 3HX – 1 NEW TEACHING BLOCK COMPRISING OF 2 CLASSROOMS, TOILETS, CLASS STORAGE, PLANT ROOM AND A NEW REPLACEMENT ALL WEATHER PITCH. ALL WEATHER PITCH TO HAVE MESH FENCING AND GATES

The report of the Interim Head of Planning and Building Control was submitted

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points contained therein. In addition, the Presenting Officer drew the Committee's attention to the additional information / revised recommendation as set out within the tabled supplementary paper.

The Committee welcomed the only speaker on this item, Councillor Johal, who wished to speak in objection to this application.

Councillor Johal stated that the school, over the last two years, had changed from a one and a half form entry admission number of 45 to a full two-form entry of 60 pupils. This increase had brought with it many problems for local residents, which had had a detrimental impact upon their lives. The traffic and parking problems created by parents transporting their children to / from

the school had become intolerable and had made their lives a misery. Road safety had been severely compromised as well as an increase in traffic and noise / air pollution. Parents regularly parked illegally, blocking driveways and also blocking the road for access by emergency vehicles. The residents had also suffered from verbal abuse and threatening behaviour from parents if / when they challenged them. One particular resident had a disabled daughter and their transport was often delayed as they could not get close to their house. Some residents had even contemplated moving house.

Committee Members were then invited to ask questions of the speakers

Members queried the following: -

- If it was true to say that on many occasions, emergency vehicles had not been able to access these road due to the traffic and parking problems caused by parents transporting their children to / from the school. Councillor Johal replied that it was true.
- If it was true that the school did not have any staff supervising parking or, deploying cones to restrict / control parking areas. Councillor Johal advised that the school had not done anything to help the situation.
- What the relationship was like between the Head Teacher and Residents. Councillor Johal advised that it was not good and the Head Teacher was not particularly approachable.

There then followed a period of questioning by Members to Officers in relation to: -

- If the school had been invited to this meeting. Councillor Bird advised that they had, but had failed to engage.
- If the School had developed a travel plan of any kind. Councillor Bird stated that he believed there had not been.
- If the school utilised the A Stars programme to encourage better transport planning. The Presenting Officer advised that the school were now engaging in the A Stars programme.
- If specific residents had been notified of this application. The Presenting Officer stated the specific residents mentioned had indeed been notified.
- If the introduction of a one-way system could be implemented at this site to help alleviate the current issues with traffic and parking. The Highways Officer advised that plans were currently underway to go out to consultation with residents in this area to look at three options to try and improve the current situation.

Following the conclusion of questions to Officers, Members considered the application, during which Councillor Perry stated that he felt the Council needed to review its Transport Strategy for the whole of the Borough in an attempt to avoid / resolve other such similar circumstances.

The Chair **moved** and it was duly **seconded** by Councillor Bott:-

That planning application no. **18/0097** be delegated the Interim Head of Planning and Building Control to grant permission, as set out within the supplementary paper, and subject to: -

1. The Head Teacher and relevant staff from the school forming a Committee with local ward Councillors and residents to resolve parking problems within the vicinity of the school; and
2. That Highways investigate appropriate measures to ameliorate the current traffic and parking problems around the school by way of a one-way system and traffic regulation orders with public consultation and engagement with the school.

The Motion, having been put to the vote was declared carried with Members voting unanimously in favour:-

Resolved

That planning application no. **18/0097** be delegated the Interim Head of Planning and Building Control to grant permission, as set out within the supplementary paper, and subject to: -

1. The Head Teacher and relevant staff from the school forming a Committee with local ward Councillors and residents to resolve parking problems within the vicinity of the school; and
2. That Highways investigate appropriate measures to ameliorate the current traffic and parking problems around the school by way of a one-way system and traffic regulation orders with public consultation and engagement with the school.

28/20

PLANS LIST ITEM NO. 5 – 19/1436 - MIDDLEMORE HOUSE, MIDDLEMORE LANE WEST, ALDRIDGE, WALSALL - CHANGE OF USE OF FIRST FLOOR FROM ANCILLARY OFFICES (CLASS B1A) TO YOGA STUDIO (CLASS D2)

The report of the Interim Head of Planning and Building Control was submitted

(see annexed)

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

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

Mr Somerfield stated that the application related to a private building which had previously been utilised for a paint studio and for which would be perfect for a yoga studio. Nearby, also on industrial estates, were a boxing gym, fitness boot-camp and dance studio, so precedent already existed. The yoga studio would operate on an evening and would not, therefore, create additional traffic on the road during peak times. There would be a dedicated

free car park on site to service the studio. In view of this, he asked for the Committee to support this application.

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

Mrs Lewis stated that she had been a nurse for over 30 years and she was passionate about health and wellbeing, especially in the context of rehabilitation. The health and wellbeing benefits ascribed to yoga were numerous, including mental health, and such a facility would only serve to have a positive impact on anyone who attended the studio. Customers would be able to either walk or drive to the studio.

Committee Members were then invited to ask questions of the speakers

Members queried the following: -

- If the applicant had looked elsewhere for a more suitable alternative venue closer to the Town Centre. Mrs Lewis stated that Aldridge already had a yoga studio. Mr Somerfield advised that they wished to utilise this particular building as they owned it, which would save them from having to rent somewhere.
- How many jobs would be created. Mr Somerfield advised that up to 8 jobs would be created.
- How long this particular building had been empty. Mr Somerfield advised that it had been empty for about 10 years now.
- Whether there was disabled access and if the building was DDA compliant. Mr Somerfield explained that there was not disabled access, but disabled people would still be catered for by way of one-to-one home visits.
- Whether there would be any plans to expand in the future. Mr Somerfield stated that, depending on the success of the business, it could be a possibility in the future.
- If the applicants would be willing to install security lighting and CCTV on-site. Mr Somerfield stated that he would indeed be willing.

There then followed a period of questioning by Members to Officers in relation to: -

- What the rules were in terms of ensuring a building was DDA compliant. The presenting Officer advised that such matters fell under building regulations, not planning. Consideration of this application was solely down to change of use.

Following the conclusion of questions to Officers, Members considered the application.

Councillor Craddock **moved** and it was duly **seconded** by Councillor Statham:-

That planning application no. **19/1436** be granted as a personal permission to the applicant, subject to conditions including the hours of operation and the

installation of CCTV and security lighting on the basis that the proposal creates employment opportunities locally, there is adequate on-site parking to serve the use, there are other similar leisure facilities in the vicinity and disabled customers will be catered for by way of home visits on a one-to-one basis.

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

Resolved

That planning application no. **19/1436** be granted as a personal permission to the applicant, subject to conditions including the hours of operation and the installation of CCTV and security lighting on the basis that the proposal creates employment opportunities locally, there is adequate on-site parking to serve the use, there are other similar leisure facilities in the vicinity and disabled customers will be catered for by way of home visits on a one-to-one basis.

29/20

PLANS LIST ITEM NO. 1 – 17/0974 – REAR OF FORMER 232, LICHFIELD ROAD, WILLENHALL, WV12 5BG – INFILLING OF VOID SECTION BETWEEN THIRD FLOORS APPROVED UNDER PLANNING PERMISSION 13/0746/FL TO CREATE TWO FURTHER FLATS AND REPOSITIONING OF THE BIN STORE AND CAR PARKING

Resolved (unanimously)

That planning application no. **17/0974** be delegated to in Interim Head of Planning and Building Control to grant permission, as set out within the report and supplementary paper, subject to the amendment and finalising of conditions.

30/20

PLANS LIST ITEM NO. 3 – 19/0853 – RAILSWOOD MEADOW, RAILSWOOD DRIVE, PELSALL, WALSALL, WS3 4BE - DEMOLITION OF STABLES AND ERECTION OF ONE DWELLING

Resolved (unanimously)

That planning application no. **19/0853** be delegated to in Interim Head of Planning and Building Control to grant permission, as set out within the report and supplementary paper, subject to the amendment and finalising of conditions.

31/20

PLANS LIST ITEM NO. 4 – 19/0296 – 10, WHITEHORSE ROAD, BROWNHILLS, WALSALL, WS8 7PD - PROPOSED DEMOLITION OF EXISTING PUBLIC HOUSE AND CONSTRUCTION OF 4 X 3 BED HOUSES AND 2 X 2 BED FLATS

Resolved (unanimously)

That planning application no. **19/0296** be delegated to in Interim Head of Planning and Building Control to grant permission, as set out within the report and supplementary paper, subject to the amendment and finalising of conditions.

32/20 **PLANS LIST ITEM NO. 6 – 19/0932 - 1, WOODSIDE ROAD, WALSALL, WS5 3LS – ALTERATIONS TO GARAGE FOR USE AS A FLEXIBLE WORKSHOP/STUDIO/OF FICE SPACE ANCILLARY TO THE PROPOSED BUNGALOW APPROVED BY PLANNING APPLICATION REFERENCE NO. 18/0976**

Resolved (unanimously)

That planning application no. **19/0932** be delegated to in Interim Head of Planning and Building Control to grant permission, as set out within the report and supplementary paper, subject to the amendment and finalising of conditions.

33/20 **Private Session**

Exclusion of Public

Resolved

That, during consideration of the following item(s) on the agenda, the Committee considered that the item(s) for consideration was / were exempt information by virtue of Paragraphs 6 and 7 of Schedule 12(A) of the local Government Act, 1972 (as amended) and accordingly resolved to consider that / those item(s) in private session.

34/20 **Pelsall Labour Club, Church Road, Pelsall, Walsall – Reference No. E17/0405**

(Summary of item considered in Private Session)

The report of the Interim Head of Planning and Building Control was submitted.

(see annexed)

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

Members considered the report and asked questions of Officers in relation to this item.

Resolved (unanimously) that the recommendations be approved, as set out within the report.

[Exempt information under paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)]

Termination of meeting

There being no further business, the meeting terminated at 7.30 pm

Signed

Date