

## **PLANNING COMMITTEE**

**Thursday, 31<sup>st</sup> March, 2011 at 5.30 p.m.**

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

### **Present**

Councillor Perry (Chairman)  
Councillor Bird (Vice-Chairman)  
Councillor P. Bott  
Councillor Carpenter  
Councillor Cook  
Councillor Creaney  
Councillor Douglas-Maul  
Councillor P. Hughes  
Councillor Madeley  
Councillor D. Pitt  
Councillor Rochelle  
Councillor Sarohi  
Councillor Thomas

#### **2722/11 Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Arif, Beeley, Harris, Jeavons and Turner.

#### **2723/11 Minutes**

##### **Resolved**

That the minutes of the meeting held on 10<sup>th</sup> March, 2011, a copy having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

#### **2724/11 Declarations of Interest**

Councillor Rochelle declared a prejudicial interest in Item No. 4 on the plans list, application no. 09/1499/FL in relation to land to the rear of Allen Business Park, Middlemore Lane, Aldridge, Walsall, WS9 8DL.

Councillor Bird declared a prejudicial interest in Item No. 8 on the plans list, application no. 11/0159/FL in relation to Barr Beacon Language College, Old Hall Lane, Aldridge, Walsall, WS9 0RF.

Councillor Perry declared a personal interest in Item No. 11 on the plans list, application no. 11/0171/FL in relation to change of use from offices to temporary public library for a 24 month period at 17 Norton Road, Pelsall, WS3 4AY.

Councillor Perry declared a prejudicial interest in Item No. 12 on the plans list, application no. 10/1704/FL in relation to single storey rear extension, new roof over and modifications to the existing single storey side extension at 69 Hall Lane, Pelsall, WS3 4JN.

**2725/11 Deputations and Petitions**

There were no deputations introduced or petitions submitted.

**2726/11 Local Government (Access to Information) Act, 1985 (as amended)**

There were no items to be considered in private session.

**2727/11 Non-confirmation of Tree Preservation Order 1 of 2011 on Land at 57 Walsall Wood Road, Walsall, WS9 8QZ**

The report of the Head of Development and Delivery was submitted:-

(see annexed)

**Resolved**

That:-

- (1) the report be noted;
- (2) the representation received be noted;
- (3) Walsall Tree Preservation Order 1 of 2011 to lapse.

**2728/11 Confirmation of Tree Preservation Order 19 of 2010 on Land at 5 and 7 Jesson Road, Walsall, WS1 3AY**

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

(see annexed)

**Resolved**

That:-

- (1) Walsall Tree Preservation Order 19 of 2010 be confirmed in an unmodified form;
- (2) The reason for making the Tree Preservation Order set out in the report detailed in Paragraph 10 be supported;

- (3) It be noted that 2 representations had been received in respect of this Tree Preservation Order.

2729/11      **Land next to 1 Radley Road, Rushall, Walsall, WS4 1LN**

The report of the Head of Planning and Building Control was submitted:-

(see annexed)

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

**Resolved** (Unanimously)

- (1) That authority be granted for the issuing of an Enforcement Notice under the Town and Country Planning Act, 1990 (as amended), to require remedial actions to be undertaken as set out in 2.3 of the report now submitted;
- (2) That authority be granted for the decision as to the institution of 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 as to the institution of Injunctive proceedings, in the event of a continuing breach of control, be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control;
- (3) That, in the interests of ensuring an accurate and up-to-date notice is served, authority be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to, or delete from the wording set out in the report the nature of the breaches and the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site.

2730/11      **Land to the rear of 82 - 92 Salters Road, Walsall Wood, Walsall, WS9 9JB**

The report of the Head of Planning and Building Control was submitted:-

(see annexed)

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

**Resolved** (Unanimously)

- (1) That authority be granted for the issuing of an Enforcement Notice under the Town and Country Planning Act, 1990 (as amended), to require remedial actions to be undertaken as set out in 2.3 of the report now submitted;
- (2) That authority be granted for the decision as to the institution of 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 as to the institution of Injunctive proceedings, in the event of a continuing breach of control, be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control;
- (3) That, in the interests of ensuring an accurate and up-to-date notice is served, authority be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to, or delete from the wording set out in the report stating the nature of the breaches and the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site.

2731/11

**Land to the rear of 9 and 11 Lichfield Road, Rushall, Walsall, WS4 1NP**

The report of the Head of Planning and Building Control was submitted:-

(see annexed)

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

**Resolved** (Unanimously)

- (1) That authority be granted for the issuing of an Enforcement Notice under the Town and Country Planning Act, 1990 (as amended), to require remedial actions to be undertaken as set out in 2.3 of the report now submitted;
- (2) That authority be granted for the decision as to the institution of 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 as to the institution of Injunctive proceedings, in the event of a continuing breach of control, be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control;

- (3) That, in the interests of ensuring an accurate and up-to-date notice is served, authority be delegated to the Assistant Director - Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to, or delete from the wording set out in the report the nature of the breaches and the reasons for taking enforcement action, the requirements of the Notice, or the boundaries of the site.

2732/11      **Application List for Permission to Develop**

The application list for permission to develop was submitted, together with the supplementary papers and additional information for items already on the plans list:-

(see annexed)

The Committee agreed first to deal with the items on the agenda where members of the public had previously indicated that they wished to address the Committee. The Chair, at the beginning of each item for which there were speakers advised of the procedure whereby the speaker would have three minutes to speak and then at two minutes they would be reminded that they had a minute left.

2733/11      **Item No. 1 - 10/1650/FL - demolition of existing building and construction of 14 no. two bedroom apartments at 1 Woodside Close, Walsall, WS5 3LU**

This application had been withdrawn from the meeting.

2734/11      **Item No. 3 - 11/0132/FL - demolition of no's 62 and 64 Cannock Road and existing health centre and erection of new health centre and associated parking at 66 Cannock Road, Willenhall, WV12 5RZ**

The Planning Officer advised the Committee of the background to the report and drew Members' attention to the additional information contained within the supplementary paper.

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

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

- What impact the proposed building will have on the outlook and light to the neighbouring properties;
- Loss of privacy with the location of the windows.

The Committee then proceeded to discuss the application in detail, following which, Councillor P. Hughes **moved** and it was duly **seconded** by Councillor Cook:-

That planning application no. 11/0132/FL be approved, subject to the conditions contained within the report and supplementary paper now submitted.

The Motion having been put to the vote was declared **carried**, with twelve Members voting in favour of approval and one against.

### **Resolved**

That planning application no. 11/0132/FL be approved, subject to the conditions contained within the report and supplementary paper now submitted.

2735/11

**Item No. 4 - 09/1499/FL - change of use of the land to the rear of Allen Business Park to provide additional parking - extension to the existing vehicle storage yard on land to the rear of Allen Business Park, Middlemore Lane, Aldridge, Walsall, WS9 8DL**

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

The Committee then welcomed the only speaker on this application, Councillor Rochelle, who spoke in objection to the application on the grounds that it should be retained for use as a park and ride facility, which depends on the remodelling of New Street station in Birmingham.

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

- Access to right-of-way;
- Disposal of Council-owned land;
- What vehicles the additional spaces will be used by;
- What impact the proposal would have should Aldridge train station not open;
- Whether the proposed car parking spaces would be used for lorries only.

Councillor Rochelle left the room after questioning by the Committee, in view of the interest he had declared, and the Committee then proceeded to discuss the application in detail, including:-

- The company wishes to expand business and employs Aldridge people;
- The applicant had approached the Committee years previously;
- Currently the business is landlocked and access is required;
- Would it be viable to rent the land rather than sell the land?
- Need to encourage business;
- Need to look on land now, not in ten years time re: railway station.

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

That planning application no. 09/1499/FL be approved, subject to the conditions as contained within the report and supplementary paper now submitted.

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

### **Resolved**

That planning application no. 09/1499/FL be approved, subject to the conditions as contained within the report and supplementary paper now submitted.

***Councillor Rochelle returned to the room.***

2736/11

### **Item No. 5 - 10/0391/FL - residential development of 8 no. dwellings at Bournevale Motors, Lichfield Road, Shelfield, Walsall**

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

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

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

- Whether the previous petrol filling station tanks would be removed;
- Whether the public right-of-way would be affected.

The Committee then proceeded to discuss the application in detail.

- If the application would still require Government Office approval;
- Whether any organisations had made any objections;
- Whether officers were happy that Natural England had removed its objection raising concerns about the infringement to the FLINC.

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

- (1) That planning application no. 10/0391/FL be granted on the grounds that the development has a positive impact on the character of the surroundings and the visual amenity of the area, removing previous nuisance to neighbours due to various vehicle operations and would not impact on the Green Belt anymore than the current use;
- (2) That construction of the development be limited to normal working hours and not include Sundays and Bank Holidays;

- (3) That materials be agreed by the Head of Planning and Building Control.

The motion having been put to the vote was declared **carried**, with Members voting unanimously and it was,

**Resolved**

That planning application no. 10/0391/FL be approved, subject to the following conditions:-

- (1) That planning application no. 10/0391/FL be granted on the grounds that the development has a positive impact on the character of the surroundings and the visual amenity of the area, removing previous nuisance to neighbours due to various vehicle operations and would not impact on the Green Belt anymore than the current use;
- (2) That construction of the development be limited to normal working hours and not include Sundays and Bank Holidays;
- (3) That materials be agreed by the Head of Planning and Building Control.

2737/11

**Item No. 12 - 10/1704/FL - single storey rear extension, new roof over and modifications to the existing single storey side extension at 69 Hall Lane, Pelsall, WS3 4JN**

***Councillor Bird in the Chair.***

***Councillor Perry, having declared an interest in this item, left the room and did not take part nor vote on this application.***

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

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

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

- Whether the objections to the original proposal had been resolved.

The Committee proceeded to discuss the application in detail, following which, Councillor Bird **moved** and it was duly **seconded** by Councillor Madeley:-

That planning application no. 10/1704/FL be granted, subject to the conditions as set out in the report now submitted.



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

**Resolved** (Unanimously)

That planning application no. 10/1704/FL be granted, subject to the conditions as set out in the report now submitted.

2738/11      **Item No. 11 - 11/0171/FL - change of use from offices to temporary public library for a 24 month period at 17 Norton Road, Pelsall, WS3 4AY**

***Councillor Bird in the Chair***

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

**Resolved** (Unanimously)

That planning application no. 11/0171/FL be granted:-

- (1)      Subject to the conditions as set out in the report now submitted;
- (2)      That the car park be only used by staff and disabled service users.

***Councillor Perry returned to the Chair***

2739/11      **Item No. 2 - 11/0105/FL - new residential development (amendment to previously approved scheme) at land behind Bentley Moor Club, Bentley Drive, Walsall, West Midlands, WS2 8RY**

**Resolved** (Unanimously)

That planning application no. 11/0105/FL be granted, subject to the conditions as set out in the report now submitted.

2740/11      **Item No. 6 - 10/1510/FL - demolition of existing bungalow and erection of 2 no. four bed detached dwellings at 140 Thornhill Road, Streetly, B74 2ED**

**Resolved** (Unanimously)

That planning application no. 10/1510/FL be granted, subject to the conditions as set out in the report and supplementary paper now submitted.

2741/11      **Item No. 7 - 11/0232/FL - erection of 1 x 6 bed house, formation of new vehicular access with associated works at 350 Chester Road, Walsall, WS9 9DE**

**Resolved** (Unanimously)

That planning application no. 11/0232/FL be granted, subject to the conditions as set out in the report now submitted.

2742/11      **Item No. 8 - 11/0159/FL - first floor extension to the Barr Beacon Language College providing drama studio and music tech/digital arts room over and remodelling to ground floor footprint at Barr Beacon Language College, Old Hall Lane, Aldridge, Walsall, WS9 0RF**

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

**Resolved** (Unanimously)

That planning application no. 11/0159/FL be granted for the reasons as set out in the report.

***Councillor Bird, having declared an interest in this item, left the room and did not take part nor vote on this application.***

2743/11      **Item No. 9 - 11/0017/FL - construction of a two storey detached dwelling with ancillary on site car parking for 2 vehicles and a new access to the allotment gardens on land between 1 and 3 and between 9 and 11 Cricket Close, Walsall, WS5 3PU**

**Resolved** (Unanimously)

That planning application no. 11/0017/FL be granted, subject to the conditions as set out in the report now submitted.

2744/11      **Item No. 10 - 10/1648/FL - erection of two, three bedroom detached houses at Brownhills Library, Brickiln Street, Brownhills, Walsall, WS8 6AU**

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

**Resolved** (Unanimously)

That planning application no. 10/1648/FL be granted for the reasons as set out in the report.

2745/11      **Item No. 13 - 10/0473/FL - replace existing trolley bay at Homebargains, Town Centre Shopping Centre, Samuel Street, Bloxwich, Walsall, WS3 2JE**

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

**Resolved** (Unanimously)

That planning application no. 10/0473/FL be granted, subject to the reasons as set out in the report.

2746/11      **Item No. 14 - 11/0106/FL - minor material amendment to planning approval 10/0892/FL to provide above ground fuel tank and compressor house at former premises c/o Lichfield Road and Sadler Road, Brownhills, Walsall, WS8 6HR**

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

**Resolved** (Unanimously)

That planning application no. 11/0106/FL be granted, subject to the reasons as set out in the report.

#### **Termination of meeting**

There being no further business the meeting terminated at 6.55 p.m.

Signed: .....

Date: .....