

DEVELOPMENT CONTROL COMMITTEE

Thursday, 1 April, 2010 at 5.30 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor M.G. Pitt (**Chairman**)
Councillor Bird (**Vice-Chairman**)
Councillor Ali
Councillor Ault
Councillor Barton
Councillor Beeley
Councillor Carpenter
Councillor Cook
Councillor Harris (arrived at 6.50 p.m.)
Councillor P. Hughes
Councillor Madeley
Councillor McCracken (arrived at 6.45 p.m.)
Councillor Robertson (arrived at 6.00 p.m.)
Councillor Rochelle
Councillor Sarohi

2365/10 Apologies

Apologies for non attendance were received on behalf of Councillors P. Bott, Douglas-Maul, Tuner and Underhill.

2366/10 Minutes

Resolved

That the minutes of the meeting held on 4 March, 2010, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

2367/10 Declarations of Interest

There were no declarations of interest.

2368/10 Deputations and Petitions

There were no deputations or petitions.

2369/10 Non confirmation of Tree Preservation Order 36 of 2008

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

(see annexed)

Resolved

- (i) That the report be noted;
- (ii) That Tree Preservation Order 36 of 2008 be allowed to lapse.

2370/10 Deed of Variation to Tesco Store Legal Agreement Planning Permission reference 06/0367/OL/W7

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

(see annexed)

Resolved

That authority be delegated to the Head of Planning and Building Control and Head of Legal Services to complete the Deed of Variation.

2371/10 Development Management

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

(see annexed)

Resolved

- (i) That the report be noted;
- (ii) It be recommended to Council that the name of the Development Control Committee be changed to 'Planning Committee' from its first meeting on 27 May, 2010.

2372/10 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.

At this juncture, the Chair advised Members that items 5 – 09/1086/FL – proposed demolition of single storey buildings and erection of new visitor centre at Walsall Arboretum, Lichfield Street, Walsall and 10 – 10/0077/FL – change of use of storage building to taxi base, with 3 taxis operating from garage site at 15 Bloxwich Road North, Short Heath, Willenhall, WV12 5PG had been withdrawn at his request.

2373/10 **Item No. 1 – 09/0079/OL – industrial development, and informal open space at land off Moxley Road (Previously known as part of Moxley Tip), Darlaston, Walsall**

The Planning Officer advised the Committee of the background to the report and drew Members attention to the additional information and revised conditions as contained within the supplementary paper circulated at the meeting.

The Committee then welcomed the first speaker on this item, Mr. Fiddler who spoke in objection to the application.

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

The Committee then welcomed the third and final speaker on this application, Mr. Ferguson, who spoke in support of the application.

There then followed a period of questioning by Members in relation to whether the land in question was in fact open space or private land, the siting of mine shafts on the site, what other green space areas were in the vicinity of this site and whether there would be any employment as a result of the development.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **09/0079/OL** be approved subject to the conditions as contained within the report and supplementary paper now submitted and a planning obligation.

The motion, having been put to the vote, was declared **carried**; with eleven Members voting in favour of granting planning permission and one against.

Resolved

That planning application no. **09/0079/OL** be approved subject to the conditions as contained within the report and supplementary paper now submitted and a planning obligation.

Councillor Robertson arrived during the consideration of this application and therefore did not take part or vote.

2374/10 **Item No. 9 – 10/0010/FL – change of use from existing shop to hot food takeaway at 5 Selmans Parade, Selmans Hill, Walsall, WS3 3RN**

The Planning Officer advised the Committee of the background to the report and drew Members attention to the additional information and revised recommendation.

The Committee welcomed the first speaker on this item, Mr. Mears, who spoke in objection to the application.

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

The Committee then welcomed the third and final speaker on this item, Mr. Williams, who spoke in support of the application.

There then followed a period of questioning by Members in relation to the location of the signatories on the petition received by the Planning Officers, the proposed use of the shop, previous objections made by the Planning Inspectorate, anti-social behaviour and litter problems in the area and disturbance as a result of the proposed application.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **10/0010/FL** be approved subject to the conditions as contained within the report and supplementary paper now submitted and that additional conditions be added to limit the hours of operation on Monday to Saturday to 11.00

p.m. with no Sunday opening and the provision of a litter bin.

The motion, having been put to the vote, was declared **lost**; with six Members voting in favour of approval and eight against.

The Committee then further considered the application and Councillor Ault **moved** and it was duly **seconded** by Councillor Beeley:-

That planning application no. **10/0010/FL** be refused on the grounds that the development would have a detrimental effect on the amenities currently enjoyed by local residents by way of increased anti social behaviour, noise disturbance and litter in the vicinity of its residential location and the resulting fear of crime.

The motion, having been put to the vote, was declared **carried**; with eight Members voting in favour of refusing planning permission and six against.

Resolved

That planning application no. **10/0010/FL** be refused on the grounds that the development would have a detrimental effect on the amenities currently enjoyed by local residents by way of increased anti social behaviour, noise disturbance and litter in the vicinity of its residential location and the resulting fear of crime.

Councillors McCracken and Harris arrived at the meeting during the consideration of this item and therefore did not take part and did not vote.

2375/10 Item No. 13 – 09/1782/FL – two storey side extension and single storey rear extension to dwelling at 3 Cedar Drive, Streetly, Walsall, B74 3RJ

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

The Committee welcomed the first speaker on this item, Mr. Williams, who spoke in support of the application.

The Committee then welcomed the second and final speaker on this item, Councillor Hughes, who also spoke in support of the application.

There then followed a period of questioning by Members in relation to whether a further deferment would prove fruitful, whether the neighbouring properties had objected to the application, whether an alternative scheme could be agreed and the distance between the boundary walls.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **09/1782/FL** be refused for the reasons as set out in the report.

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

Resolved

That planning application no. **09/1782/FL** be refused for the reasons as set out in the report.

2376/10 Item No. 14 – 10/0172/FL – rear two storey extension (amendment to 09/1264/FL) at 161 The Crescent, Walsall, WS1 2DD

The Planning Officer advised the Committee of the background to the report and drew Members attention to the additional information and revised conditions as contained within the supplementary paper now submitted.

The Committee then welcomed the only speaker on this item, Mrs. Philpotts, who wished to speak in objection to the application.

There then followed a period of questioning by Members in relation to the impact to the development on neighbouring properties and any loss of light.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **10/0172/FL** be approved subject to the conditions as contained within the report now submitted.

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

Resolved

That planning application no. **10/0172/FL** be approved subject to the conditions as contained within the report now submitted.

2377/10 **Item No. 15 – 10/0073/FL – conversion of an existing car garage to carpet and furniture showroom including new shutters at New Road, Willenhall, WV13 2AO**

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

The Committee welcomed the only speaker on this item, Councillor Creaney, who spoke in support of the application.

There then followed a period of questioning by Members in relation to how many jobs would be created, if the development would affect the flow of traffic in the vicinity of the location, what visual improvements were proposed, how long the site in question had been vacant and whether there was sufficient car parking.

The Committee proceeded to discuss the application in detail.

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

That planning application no. **10/0073/FL** be refused for the reasons as set out in the report now submitted.

The motion, having been put to the vote, was declared **carried**; with seven Members voting in favour of refusal and seven against, the Chair having exercised his casting vote.

Resolved

That planning application no. **10/0073/FL** be refused for the reasons as set out in the report now submitted.

2378/10 **Item No. 2 – 10/0120/FL – change of use from B2 to B1, B2 and B8 (light industrial / general industrial / storage and distribution at Unit 4, Bloxwich Industrial Estate, Bloxwich Lane, Walsall**

Resolved

That planning application **10/0120/FL** be approved subject to the conditions as contained in the report now submitted.

- 2379/10 **Item No. 3 – 10/0159/FL – change of use from B2 (general industrial) to B1b (research & development), B1c (light industry), B2 (general industry) and B8 (storage and distribution) (development adjoins public footpath Wed 5) at Unit 3A, 3B and 3C Woden Bank Estate, Woden Road West, Wednesbury, WS10 7BL**

Resolved

That planning application **10/0159/FL** be approved subject to the conditions as contained in the report now submitted.

- 2380/10 **Item No. 4 – 10/0165/FL – request to extend the time to allow landfill operations to continue at Vigo Utopia Quarry and to continue the time in which it and the adjacent Highfields South Quarry will operate concurrently at Vigo / Utopia Quarry, Coppice Lane, Aldridge, Walsall**

Resolved

That planning application **10/0165/FL** be approved subject to the conditions as contained in the report now submitted.

- 2381/10 **Item No. 5 – 09/1086/FL – proposed demolition of single storey buildings and erection of new visitor centre at Walsall Arboretum, Lichfield Street, Walsall**

This item was withdrawn from the agenda.

- 2382/10 **Item No. 6 – 10/0190/FL – erection of one 3 bedroom house at 10 Leacroft Close, Walsall, WS9 8RX**

Resolved

That planning application **10/0190/FL** be approved subject to the conditions as contained in the report now submitted.

- 2383/10 **Item No. 7 – 10/0145/FL – amendments to the design of new dwelling (approved under 09/0252/FL) to raise the height of the front and rear gable features at land adjacent No. 4 Lonsdale Road, Walsall, WS5 3JJ**

Resolved

That planning application **10/0145/FL** be approved subject to the conditions as contained in the report now submitted.

- 2384/10 **Item No. 8 – 10/0120/FL – new dwelling at 35 Princes Avenue, Walsall, WS1 2DG**

Resolved

That planning application **10/0120/FL** be approved subject to the conditions as contained in the report now submitted.

- 2385/10 **Item No. 10 – 10/0077/FL – change of use of storage building to taxi base, with 3 taxis operating from garage site at 15 Bloxwich Road North, Short Heath, Willenhall, WV12 5PG**

This item was withdrawn from the agenda.

- 2386/10 **Item No. 11 – 08/1938/FL – first floor front extension, single storey front and side extension and rear single and two storey extension at 58 Buchanan Road, Walsall, WS4 2EN**

Resolved

That planning application **08/1938/FL** be refused for the reasons as contained in the report now submitted.

- 2387/10 **Item No. 12 – 09/1439/FL – rear ground and first floor extensions and loft conversion to bedroom including roof converted from hip to gable at rear at 97 Skip Lane, Walsall, WS5 3LP**

Resolved

That planning application **09/1439/FL** be refused for the reasons as contained in the report now submitted.

- 2388/10 **Item No. 16 – 08/1856/FL – conversion of existing industrial buildings and new construction work to form 73 houses and apartments and associated car parking (amendment to existing permission under 07/1650/FL/W7) at The Keys (former Union Locks Site), Wood Street, Willenhall, WV13 1JY**

Resolved

That planning application **08/1856/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted.

Termination of meeting

There being no further business the meeting terminated at 8.05 p.m.

Signed:

Date: