

## **SPECIAL DEVELOPMENT CONTROL COMMITTEE**

**Tuesday, 27 October, 2009 at 6.00 p.m.**

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

### **Present**

Councillor M.G. Pitt **(Chairman)**

Councillor Ault

Councillor Barton

Councillor Beeley

Councillor P. Bott

Councillor Carpenter

Councillor Cook

Councillor Douglas-Maul

Councillor P. Hughes

Councillor Madeley

Councillor Rochelle

Councillor Sarohi

### **2233/09 Apologies**

Apologies for non attendance were received on behalf of Councillor Bird, Councillor Ali, Councillor Munir, Councillor Robertson, Councillor Turner and Councillor Underhill.

### **2234/09 Declarations of Interest**

There were no declarations of interest declared.

### **2235/09 Deputations and Petitions**

There were no deputations received or petitions submitted.

### **2236/09 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.

2237/09     **Item No 1 - 09/1276/FL – relocation of existing Walsall Town Centre Market (100 Stalls) to new temporary location (trading 8am to 5pm, seven days) – option to include 16 stalls in Park Street;**

**and**

**Item No. 2 - 09/1277/FL – Relocation of existing Walsall Town Centre Market (100 stalls) to new temporary location (trading 8am to 5pm, seven days) – option to include 8 stalls in Park Street.**

The Chairman reported that the Planning Officer would present the reports jointly, as they related to the same site. Voting on each application would be taken separately to ensure that the decisions were clear.

The Planning Officer then advised the Committee of the background to the reports and referred, in detail, to the additional information as contained within the supplementary paper now circulated.

The Committee then welcomed the first speaker on this application, Mr. Thomas, who spoke against the application. Mr Thomas stated that he had invested a considerable amount in the shop unit and aired his concerns that, should the market be relocated, it would obscure the shop frontage thus having a detrimental effect on the business. If this proved to be true, he would have no option but to consider re-locating outside of Walsall.

The Committee then welcomed the second speaker on this application, Ms Sands, who spoke in support of the application. Ms Sands, speaking on behalf of the market traders, stated that the preferred option would be to have 16 stalls along Park Street as opposed to 8. She assured Committee that stricter controls would be put in place to ensure that the market would operate more effectively and efficiently. Ms Sands expressed concern that removing 8 stalls from Park Street would mean they would have to be relocated to an area that was currently struggling to achieve a profit. It could also result in a loss of income to the Council of up to £68,000. In closing, Ms Sands stated that they would work hard with all traders and reminded Committee that the permission was for a temporary period.

The Committee then welcomed the third speaker on this application, Mr. Chadwick, who also spoke in support of the application. Mr Chadwick emphasised the need to relocate the market as it was projected to make a loss in its current location. Relocating would improve the income potential

and occupancy rates which, in recent years, had declined. The vitality and sustainability of the market was under threat if it remained in its current location. Mr Chadwick stated that Committee should have regard to the GVA Grimly report which did not support the option to have 16 market stalls in Park Street.

There then followed a period of questioning by Members in relation to the potential impact of approving 16 stalls on Park Street as opposed to 8, the possible impact of the move on the business in Park Street and the duration of the permission.

Members considered the applications and were advised by the solicitor to the Planning Committee that the consultants' report stated that the provision of 8 stalls on Park Street was least risk. Should the Committee choose to approve 16 stalls, adequate planning reasons would be required. Notwithstanding this, the Committee still had that option to consider as they deemed necessary.

Members considered the applications and in relation to item 2 - **09/1277/FL** - Councillor Pitt **moved** and it was duly **seconded** by Councillor Rochelle:-

That planning application No. **09/1277/FL** be approved subject to the conditions as contained in the report now submitted.

The motion having been put to the vote, was declared **carried**, with eight Members voting in favour and three against.

**Resolved (8 in favour and 3 against)**

That planning application No. **09/1277/FL** be approved subject to the conditions as contained in the report now submitted.

In relation to item number 1 - **09/1276/FL** the Chairman **moved** and it was duly **seconded** by Councillor Rochelle:-

That planning application No. **09/1276/FL** be refused for the reasons as stated in the report now set out.

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

**Resolved (8 in favour and 3 against)**

That planning application No. **09/1276/FL** be refused for the reasons as stated in the report now set out.

**Termination of meeting**

There being no further business the meeting terminated at 7.10 p.m.

Signed: .....

Date: .....