

DEVELOPMENT CONTROL COMMITTEE

Tuesday, 6 January, 2009 at 5.30 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Bird (Chairman)
Councillor Rochelle (Vice-Chairman)
Councillor Ault
Councillor Barton
Councillor Beeley
Councillor P. Bott
Councillor Cook
Councillor Douglas-Maul
Councillor Flower
Councillor P. Hughes
Councillor Madeley
Councillor Robertson
Councillor Sarohi
Councillor Turner

1970/09 Apologies

Apologies for non attendance were received on behalf of Councillors Arif and Munir.

1971/09 Minutes

Resolved

That the minutes of the meeting held on 9 December, 2008, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1972/09 Declarations of Interest

Councillor Madeley declared:-

A prejudicial interest in item 3 of the plans list relating to 08/1654/FL - The Old Hall Public House, Churchill Road, Walsall.

Councillor P. Bott declared:-

A prejudicial interest in item 3 of the plans list relating to 08/1654/FL - The Old Hall Public House, Churchill Road, Walsall.

Councillor Cook declared:-

A prejudicial interest in item 3 of the plans list relating to 08/1654/FL - The Old Hall Public House, Churchill Road, Walsall.

1973/09 **Deputations and Petitions**

There were no deputations received or petitions submitted.

1974/09 **Confirmation of Tree Preservation Order 19 of 2008 – Land at 238 to 242 Chester Road, Streetly and Revocation of Tree Preservation Order 5 of 2004**

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

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order No. 19 of 2008 be confirmed in an un-modified form;
- (2) That the reasons for the making of the Tree Preservation Order, as detailed in 1.3 of the report now submitted, be supported;
- (3) That it be noted that two representations had been received in respect of the Tree Preservation Order;
- (4) That Walsall Tree Preservation Order 5 of 2004 be revoked.

1975/09 **Confirmation of Tree Preservation Order 24 of 2008 – Land at 1 and 2 Inglewood Grove, Streetly and Revocation of Tree Preservation Order 37 of 1981**

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

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order No. 24 of 2008 be confirmed in a modified form;
- (2) That the reasons for the making of the Tree Preservation Order, as detailed in 1.4 of the report now submitted, be supported;
- (3) That it be noted that no representations had been received in respect of the Tree Preservation Order;
- (4) That Walsall Tree Preservation Order 37 of 1981 be revoked.

1976/09 Confirmation of Tree Preservation Order 31 of 2008 – Land at 40 Blackwood Road, Streetly and Revocation of Tree Preservation Order 40 of 1981

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

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order No. 31 of 2008 be confirmed in an un-modified form;
- (2) That the reasons for the making of the Tree Preservation Order, as detailed in 1.4 of the report now submitted, be supported;
- (3) That it be noted that no representations had been received in respect of the Tree Preservation Order;
- (4) That Walsall Tree Preservation Order 40 of 1981 be revoked.

1977/09 Serving of Tree Preservation Order 50 of 2008 – Land at 20, 22 & 24 Bell Road, Walsall

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

(see annexed)

Resolved

- (1) That the making of Tree Preservation Order 50 of 2008 be authorised;

- (2) That the reasons for making the Order, as detailed in the report now submitted, be supported.

1978/09 Variation to financial contributions on application 07/0084/FL/W7 – Residential Development, Willenhall Tube and Forging, Bentley Lane, Walsall

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

(see annexed)

Resolved

That the Assistant Director – Legal and Constitutional Services in consultation with the Head of Planning and Building Control, be authorised to amend the Section 106, to defer payments of the contributions to before the first occupation of the last dwelling on the site.

1979/09 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.

**1980/09 Item No. 1 - 08/0523/FL – hybrid application – detailed conversion of the Boak building to 31 apartments, outline planning permission (all matters reserved) for a mixed use development comprising a maximum of 210 residential apartments and a minimum of 1,115 square meters of commercial space comprising of use classes A2, A3, B1(a), C1, D1 and D2 following the demolition of existing buildings at Land between Station Street / Navigation Street and Marsh Street, Walsall and;
Item No. 2 - 08/0518/FL – listed building consent for the conversion of the Boak Building to 31 residential units at Land between Station Street / Navigation Street and Marsh Street, Walsall**

At this juncture in the meeting the Chair indicated that, with the consent of the Committee, he intended to take item number 1 and item number 2 together as the applications were related.

The Planning Officer advised the Committee of the background to the report and drew members' attention to the supplementary paper circulated at the meeting which proposed an amendment to the recommendations.

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

There then followed a period of questioning by Members in relation to emergency services vehicular access.

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

That planning application No. **08/0523/FL** be approved subject to the recommendations contained in the report and supplementary paper now submitted and that Listed Building consent be granted for planning application No. **08/0518/LB**.

The motion having been put to the vote, was declared **carried**, with members voting unanimously in favour of the application being approved.

Resolved (Unanimously)

That planning application No. **08/0523/FL** be approved subject to the recommendations contained in the report and supplementary paper now submitted, and that Listed Building consent be granted for planning application No. **08/0518/LB**.

1981/09 Item No. 3 - 08/1654/FL – erection of 60 flats for elderly persons and 5 family houses at The Old Hall Public House, Churchill Road, Walsall

Prior to consideration of this item Councillors Madeley, Bott and Cook left the meeting during the consideration and determination of this item as they had declared an interest (see Minute No. 1972/09). In view of this, the aforementioned Councillors took no part in the deliberations and did not vote.

The Planning Officer advised the Committee of the background to the report and drew members' attention to the supplementary paper circulated at the meeting which proposed a new recommendation to delegate the determination of the application to the Head of Planning and Building Control, subject to conditions.

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

There then followed a period of questioning by members in relation to the possibility of providing sprinklers, parking provisions and highway safety implications.

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

That the determination of planning application No. **08/1654/FL** be delegated to the Head of Planning and Building Control, subject to the conditions as contained in supplementary paper now submitted.

The motion having been put to the vote, was declared **carried**, with 13 members voting in favour of approval and 1 against.

Resolved

That the determination of planning application No. **08/1654/FL** be delegated to the Head of planning and Building Control, subject to the conditions as contained in the supplementary paper now submitted.

1982/09 Item No. 7 - 08/1603/FL – change of use to lorry parking, including acoustic fencing and landscaping at Land at junction of Walsall Road and Steelmans Road

The Planning Officer advised the Committee of the background to the report and drew members' attention to the supplementary paper circulated at the meeting proposed a change to the recommendation.

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

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

There then followed a period of questioning by Members in relation to the current problems experienced in relation to noise by local residents, where lorries would be parked on the site, what type of generators would power the refrigeration units, why Pollution Control were not happy with the existing noise assessment, what the hours of operation would be and details of any screening for the acoustic fence.

Members considered the application and Councillor Madeley **moved** and it was duly **seconded** by Councillor Flower:-

That planning application No. **08/1603/FL** be deferred in order to receive further technical information on the noise report.

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

Resolved (Unanimously)

That planning application No. **08/1603/FL** be deferred in order to receive further technical information on the noise report.

At the conclusion of this item the Chair instructed that both the objector and supporter be notified when this application comes before the Committee for consideration so that they may address the meeting.

1983/09 **Item No. 8 - 08/1800/AD – Display of 2 portrait L.E.D digital screens measuring 7.5m * 5.0m at Middleton Group of Companies Ltd, Bescot Crescent, Walsall**

The Planning Officer advised the Committee of the background to the report and drew members' attention to the supplementary paper circulated at the meeting which set out additional information, including an objection from the Highway Agency and proposed an additional reason for refusal.

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

There then followed a period of questioning by Members in relation to the type of technology proposed for this advertisement, the proposed brightness for the advertisement as well as highway safety factors.

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

That planning application No. **08/1800/AD** be approved subject to:-

- (1) Satisfactory confirmation of the technology to be used;
- (2) That only static images be displayed;
- (3) That a maximum of 4 changes of advertisement per day be permitted;
- (4) A maximum of up to 400 candelas in brightness be permitted;
- (5) Any proposed changes in technology are to be approved by the Committee;
- (6) The standard conditions applicable to advertisements.

The motion having been put to the vote, was declared **carried**, with 8 members in favour of approval and 6 against.

Resolved

That planning application No. **08/1800/AD** be approved subject to:-

- (1) Satisfactory confirmation of the technology to be used;
- (2) That only static images be displayed;
- (3) That a maximum of 4 changes of advertisement per day be permitted;
- (4) A maximum of up to 400 candelas in brightness be permitted;
- (5) Any proposed changes in technology are to be approved by the Committee;
- (6) The standard conditions applicable to advertisements.

1984/09 **Item No. 12 - 08/1652/FL – construction of detached house with private access drive at Land at rear of 95, 97 & 99 Chester Road, Walsall**

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

The Committee then welcomed the first speaker on this application Mrs. Allen, who spoke in objection to the application.

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

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

There then followed a period of questioning by Members in relation to siting of the dwelling, the size and impact upon local neighbouring dwellings, landscaping proposals and land ownership of the grass verge.

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

That planning application No. **08/1652/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 9 members voting in favour of approval and 5 against.

Resolved

That planning application No. **08/1652/FL** be approved subject to the conditions as contained in the report now submitted.

Councillor Douglas-Maul wished to have his name recorded as having voted against this motion.

1985/09 **Item No. 13 - 08/1699/FL – four detached four bedroom dwellings at 52 Highfield Road North, Pelsall**

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

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

There then followed a period of questioning by Members in relation to how many dwellings per hectare were proposed and the site layout.

The Head of Planning and Building Control had recommended that the application be refused.

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

That planning application No. **08/1699/FL** be approved subject to the satisfactory confirmation of materials to be used on the grounds that the proposals would ensure that under utilised land would be brought back into residential use, ensure the removal of this vacant site that has caused problems to surrounding residents and improve the visual amenity of the local area and in doing so, the amended proposals would provide four quality homes which would comply with UDP policies and guidance contained within Designing Walsall (Supplementary Planning Document).

The motion having been put to the vote, was declared **carried**, with 13 members voting in favour of approval and 1 against.

Resolved

That planning application No. **08/1699/FL** be approved subject to the satisfactory confirmation of materials to be used on the grounds that the proposals would ensure that under utilised land would be brought back into residential use, ensure the removal of this vacant site that has caused problems to surrounding residents and improve the visual amenity of the

local area and in doing so, the amended proposals would provide four quality homes which would comply with UDP policies and guidance contained within Designing Walsall (Supplementary Planning Document).

- 1986/09 **Item No. 4 - 08/1459/FL – erection of a combined heat and power plant and railway sidings to be used in conjunction with material recovery facility approved under 07/1691/RM/W7 at Land off Fryers Road, Bloxwich**

Resolved (Unanimously)

That planning application No. **08/1459/FL** be approved subject to the conditions as contained in the report now submitted.

- 1987/09 **Item No. 5 - 08/1815/RM – Amendment to approved reserved matters (ref 07/1691/RM/W7) of planning permission reference 07/0449/OL/W7 re: condition 2(A) (Layout), 2(B) (Appearance), 2(C) (Scale) and 2(D) (Landscaping) at Land off Fryers Road, Walsall**

Resolved (Unanimously)

That planning application No. **08/1815/RM** be approved subject to the conditions as contained in the report and supplementary paper now submitted.

- 1988/09 **Item No. 6 - 08/1637/FL – Reduction of units from 150 to 118 units as an amendment to planning permission approved under 07/2661/RM/W7 on front portion of site at former T.R.W. Automotive Systems Ltd, Woden Road West, Wednesbury, Walsall**

Resolved (Unanimously)

That planning application No. **08/1637/FL** be approved subject to the conditions as contained in the report and supplementary paper now submitted.

- 1989/09 **Item No. 9 – 07/2468/FL/E9 – variation of condition 2 attached to planning application 02/1641/FL/E2, to allow the bungalow to the rear of the site to be occupied as a care home for two adults with special needs, in conjunction with the existing C2 care home at Mill Lodge Residential Care Home, 98 Mill Road, High Heath, Pelsall**

Resolved (Unanimously)

That planning application No. **07/2468/FL/E9** be approved subject to the conditions as contained in the report now submitted.

- 1990/09 **Item No. 10 - 08/1706/FL – change of use of land to allow car parking, storage, vehicle inspection/ancillary garage and administration in relation to existing car auction facility, including alterations to the existing buildings and erection of a new 2.4 metre fence and change of use of existing customer car park to car auction parking in relation to the existing car auction facility. This development affects a public footpath at former Air Products Site, Heath Road, Darlaston**

The Planning Officer advised the Committee of the background to the report and drew members' attention to the supplementary paper circulated at the meeting which proposed a new recommendation to delegate the determination of the application to the Head of Planning and Building Control, subject to conditions.

Resolved (Unanimously)

That the determination of planning application No. **08/1706/FL** be delegated to the Head of planning and Building Control, subject to the conditions as contained in the supplementary paper now submitted.

- 1991/09 **Item No. 11 – 08/1408/CA – construction of detached house with private access drive at Land at rear of 95, 97 & 99 Chester Road, Walsall**

Resolved (Unanimously)

That planning application No. **08/1408/CA** be approved subject to the conditions as contained in the report now submitted.

Termination of meeting

There being no further business the meeting terminated at 8.20 p.m.

Signed:

Date: