

DEVELOPMENT CONTROL COMMITTEE

Tuesday 19 July 2005 at 6.00 p.m.

In the Town Hall at the Council House, Walsall

Present

Councillor Roger Collins (Chairman)
Councillor Leslie Beeley (Vice-Chairman)
Councillor Dennis Anson
Councillor Clive Ault
Councillor Joan Barton
Councillor Arthur Bentley
Councillor Mike Bird
Councillor Brian Douglas-Maul
Councillor Louise Harrison
Councillor Haqnawaz Khan
Councillor Bill Madeley
Councillor Rose Martin
Councillor Cath Mickewright
Councillor Rob Robinson
Councillor John Rochelle
Councillor David Turner
Councillor Mohammad Yasin

726/05 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Rose Burley, John Cook and Angela Underhill.

72705 **Minutes**

Resolved

That the minutes of the meeting held on 28 June 2005, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

* Councillor Robinson referred to advice given at the last meeting and was informed that officers would investigate the matter and report back to him directly.

728/05 **Declaration of Interest**

Councillor Collins declared an interest in item No. 2 – ref. 04/2094/FL/W5 in respect of Demolition of works and building new production unit at Globe Works, Lower Forster Street, Walsall, and left the meeting during consideration/determination of this item.

729/05 **Deputations and Petitions**

There were no deputations introduced or petitions presented at this meeting.

730/05 **Late Items**

There were no late items introduced at this meeting.

However, the Chair informed the meeting that Agenda Item No. 11 (Attempted Closure of Definitive Footpath – 38 Stroud Avenue to Redpine Crest, Willenhall - Report of Director Safer Walsall Borough Partnership), had been withdrawn.

731/05 **Local Government (Access to Information) Act, 1985**

Resolved

There were no items on the agenda for the meeting in respect of which the Committee considered that publicity would be prejudicial to the public interest by reason of the confidential nature of the business.

732/05 **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 to deal with the items on the agenda where the members of the public had previously indicated that they wished to address the Committee.

733/05 **Item No. 4 – 05/0763/FL/W1 – 24 Flats/Apartments Atlas Works,
Sandwell Street, Walsall –
Mrs. P.I. Morley**

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

The Committee then welcomed the first speaker for this application, Mr. R. Davis, who spoke in support of the application. Mr Davis explained that the application before the Committee was carefully designed and would improve the area.

The Committee then welcomed the second speaker for this application, Dr. Burke, who spoke in favour of the principle of the application.

Dr. Burke advised the Committee that the change of use of the land in question from industrial to residential was welcomed. Concerns were expressed in relation to the retention of privacy of existing neighbouring dwellings, access to the alleyway in the vicinity of the site, and health and safety implications during the demolition/redevelopment. Reference was made to the extent of the prior notification of the application/meeting.

There followed a period of questioning by members relating to the height of the proposed dwellings, the retention of existing walls within the site, car parking and lift provision.

The Committee proceeded to discuss the application in detail.

The Head of Planning and Transportation had recommended that planning permission be granted, subject to conditions .

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

That planning application 05/0763/FL/W1 be refused on the grounds that the development would have a detrimental impact on the amenities of neighbouring dwellings by way of loss of outlook and privacy.

The motion, having been put to the vote, was declared **carried**; with 9 members voting in favour of refusal of the permission and 3 members voting against.

Resolved

That planning application no. 05/0763/FL/W1 be refused on the grounds that the development would have a detrimental impact on the amenities of neighbouring dwellings by way of loss of outlook and privacy.

* Councillor Bird arrived at the meeting during consideration of this application, took no parting the deliberations and did not vote.

* Councillor Yasin left the meeting during the consideration of this item and did not return.

734/05 **Item No. 7 – 05/0269/FL/E4 – Demolition of existing buildings and erection of 31 dwelling houses and garages together with roads, sewers and associated external works at Former Travis Perkins Sawmill, Lichfield Road, Walsall – Westbury Homes (Holdings) Limited**

The Planning Officer advised the Committee of the background to the report and directed members' attention to the supplementary papers.

The Committee then welcomed the first speaker, Mr. W. Dean-Myatt who wished to address the Committee in objection to the application.

Mr. Dean-Myatt advised the Committee that he was not opposed to the principle of the application, however, he was concerned about the entrance/egress to the site. The proposed siting of the entrance/egress would, in his view, be extremely dangerous as it fronted onto Westminster Road. He was also concerned with emergency vehicle access to the site and the level of consultation.

The Committee then welcomed the second speaker on this application, Mrs. C. Stokes, who re-iterated Mr. Dean-Myatt's concerns.

The Committee then welcomed Councillor Walker who supported the recommendation of the Head of Planning and Transportation for refusal of permission. Councillor Walker stated that she was not opposed to the redevelopment of the site. She was, however, concerned with the siting of the proposed entrance/egress to the site.

The Committee proceeded to discuss the application in detail.

Members considered the application and the Chair **moved** and it was duly **seconded** by Councillor Micklewright: -

That planning application 05/0269/FL/E4 be refused for the reasons contained within the report now submitted.

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

Resolved

That planning application no. 05/0269/FL/E4 be refused for the reasons contained within the report now submitted.

735/05 **Item No. 12 – 05/1198/PT/E3 – Prior telecommunication: 15M high Leavcom tree mast supporting 3no. 2g and 3G antennae and ancillary equipment at 138 Green Lane, Shelfield, Walsall – O2**

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

Councillor Walker was then invited to address the Committee.

Councillor Walker informed the Committee of her concerns about the application. Amongst others, she cited the following as particular areas for concern: -

- the mast would create an eyesore;
- health concerns;
- site sharing in non-residential areas had not been explored;
- the site being within a green-belt area;
- the site being in close proximity to local school.

There followed a period of questioning by members relating to the proximity of the nearest residential dwelling, the site being within a green-belt area and the appearance and siting of the mast.

The Committee proceeded to discuss the application in detail.

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

That planning application 05/1198/PT/E3 be refused on the grounds that granting permission would have a detrimental impact on the area by means of being in a green-belt area, being in close proximity to a local school, being too overbearing in height and design, and being incongruous in the vicinity of deciduous trees.

The motion, having been put to the vote, was declared **carried**; with 9 members voting in favour of refusing the permission and 6 members voting against.

Resolved

That planning application no. 05/1198/PT/E3 be refused on the grounds that granting permission would have a detrimental impact on the area by means of being in a green-belt area, being in close proximity to a local school, being too overbearing in height and design, and being incongruous in the vicinity of deciduous trees.

736/05 **Item No. 13 – 05/0297/OL/W1 – Outline: Erection of 13 no. 2 bedroom self-contained flats at site at corner of Edison Road/Wright Road, Beechdale, Walsall – Mr. M. Joesbury**

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

The Committee then welcomed the first speaker on this application, Mr. Joesbury, who wished to address the Committee in support of the application.

Mr. Joesbury informed the Committee that he felt that the local community and surrounding area would benefit from the proposed development of the site in question.

Councillor Oliver was then invited to address the Committee.

Councillor Oliver felt that granting permission of this application would result in overdevelopment of a built up area, would have an overbearing impact on existing neighbouring dwellings and also that a smaller, more suitable application would be better for the site.

The Committee proceeded to discuss the application in detail.

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

That planning application 05/0297/OL/W1 be refused for the reasons contained within the report now submitted.

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

Resolved

That planning application no. 05/0297/OL/W1 be refused for the reasons contained within the report now submitted.

737/05 **Item No. 1 – 05/1118/FL/W7 – Siting of a 2000 litre LPG storage tank with radiation wall at WHG, Suffolk Place, Walsall – Walsall Housing Trust (WHG)**

Resolved

That planning application no. 05/1118/FL/W7 be approved, subject to the conditions set out in the report now submitted.

738/05 **Item No. 2 – 04/2094/FL/W5 – Demolition of works and building new production unit at Globe Works, Lower Forster Street, Walsall – Jabez Cliff and Co. Limited**

The Chairman, having declared an interest in this item, withdrew from the meeting during the consideration/determination of this item. In view of this, the Vice-Chairman acted as Chairman in his place during this period.

COUNCILLOR BEELEY (VICE-CHAIRMAN) IN THE CHAIR

Resolved (12 Members voting in favour and 1 Member against)

That planning application no. 04/2094/FL/W5 be approved, subject to the conditions set out in the report now submitted.

COUNCILLOR COLLINS BACK IN THE CHAIR

739/05 **Item No. 9 – 05/1100/FL/H4 – Porch, garage conversion, lounge and kitchen extension to ground floor, bedroom and en-suite extensions at first floor to side and rear at 21 Woodside Close, Walsall – Mr. N. Balu**

Resolved (12 Members voted in favour and none against)

That planning application no. 05/1100/FL/H4 be approved, subject to the conditions set out in the report now submitted.

740/05 **Item No. 3 – 05/1007/RM/W5 – Reserved Matters: new residential development comprising 20 houses and 8 apartments at 123–125 Franchise Street, Wednesbury, Walsall – Barhale Homes Limited**

Resolved (Members voted unanimously in favour)

That planning application no. 05/1007/RM/W5 be approved, subject to the conditions set out in the report now submitted.

- 741/05 **Item No. 5 – 05/0926/FL/W5 – Proposed warehouse extension at Leamore Close, Bloxwich, Walsall – Swatkins Limited**
- Resolved** (15 Members voted in favour and none against)
- That planning application no. 05/0926/FL/W5 be approved subject to the conditions set out in the report now submitted.
- 742/05 **Item No. 6 – 05/0566/OL/E4 – Outline: Proposed erection of 27 apartments at Select Windows, Walsall Road, Walsall – SGH Limited**
- Resolved** (14 Members voted in favour and none against)
- That planning application no. 05/0566/OL/E4 be approved, subject to the conditions set out in the report now submitted.
- 743/05 **Item No. 8 – 05/0983/FL/W3 – Variation of condition 1 of B.C.56146P for a single-storey building for industrial purposes at George Cater Pressings Limited, Park Road, Willenhall, Walsall – George Carter (Pressings) Limited**
- Resolved** (11 Members voted in favour and none against)
- That planning application no. 05/0983/FL/W3 be approved, subject to the conditions set out in the report now submitted.
- * Councillor Bird left the meeting during consideration of this application, took no part in the discussions and did not vote.
- 744/05 **Item No. 10 – 05/0919/FL/W3 – New car parking at rear and erection of brick boundary wall at rear of no. 2 Moat Road, Walsall – Walsall MBC**
- Resolved** (13 Members voted in favour and none against)
- That planning application no. 05/0919/FL/W3 be approved, subject to the conditions set out in the report now submitted.

745/05 **Item No. 11 – 05/1108/FL/W4 – Extension to garage and provision of ground floor bathroom at 194 Walsall Road, Wednesbury, Walsall – Mr. D. Mistry**

Resolved (13 Members voted in favour and none against)

That planning application no. 05/1108/FL/W4 be approved, subject to the conditions set out in the report, as now submitted.

746/05 **454 Sutton Road, Walsall – Reference number 2004/0461/CMP**

The report of the Head of Planning and Transportation was submitted:-

(see annexed)

Members were informed of a breach of planning control at 454 Sutton Road, Walsall.

Resolved

- (1) That the Committee authorises the issue of an enforcement notice in respect of an unauthorised boundary wall and gates, to require their removal or their reduction in height, as shown below in paragraph 3;
- (2) That the decision as to the institution of legal proceedings, in the event of non-compliance with the Notice or the non-return of Requisitions for Information, be delegated to Head of Legal Services;
- (3) That authority be delegated to the Head of Planning and Transportation and the Head of Legal Services to amend and add to or delete from the wording, as set out in the report submitted, stating the nature of the breach(es) the reason(s) for taking enforcement action, the requirement(s) of the Notice or the boundaries of the site.

* Councillor Ault left the meeting during consideration of this application and did not return

747/05 **Land on West Side of Acorn Street, Willenhall, Walsall Reference number E05/0329**

The report of the Head of Planning and Transportation was submitted:-

(see annexed)

Members were informed of the current breaches of control at land on west side of Acorn Street, Willenhall, Walsall.

Resolved

- (1) That authority be granted for the issuing of enforcement notices, to require remedial actions to be undertaken as shown below in paragraph 3;
- (2) That the decision as to the institution of legal proceedings in the event of non-compliance with the Notice, or the non-return of Requisitions for Information, be delegated to Head of Legal Services.
- (3) That authority be delegated to the Head of Planning and Transportation and the Head of Legal Services to amend and add to or delete from the wording, as set out in the report submitted, stating the nature of the breach(es), the reason(s) for taking enforcement action, the requirement(s) of the Notice or the boundaries of the site.

748/05 **35 Flaxhall Street, Walsall**
Reference number 2004/0744/CMP

The report of the Head of Planning and Transportation was submitted:-

(see annexed)

Members were informed of the condition and appearance of 35 Flaxhall Street, Walsall and were requested to grant authority to take planning enforcement action in the form of an unsightly/untidy land notice (Section 215).

Resolved

- (1) That authority be given to the Head of Legal Services for the issuing under the Town and Country Planning Act 1990, of a notice under Section 215;
- (2) That authority be delegated to the Head of Legal Services, to commence prosecution proceedings in the event that the Requisition for Information or the Notice under Section 215 is not complied with;
- (3) That authority be delegated to the Head of Planning and Transportation, in consultation with the Head of Legal Services, to amend, add to, or delete from the wording, as set out in the report submitted, stating the requirement(s) of the Notice or identifying the boundaries of the site.

* Councillor Bird returned to the meeting during consideration of this application, took no part in the discussions and did not vote.

749/05 **Termination of Meeting**

There being no further business, the meeting terminated at 8.05pm

Signed:

Date: