

DEVELOPMENT CONTROL COMMITTEE

Tuesday 20 September 2005 at 6.00 p.m.

In the Council Chamber 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 Rose Burley
Councillor John Cook
Councillor Brian Douglas-Maul
Councillor Haqnawaz Khan
Councillor Bill Madeley
Councillor Rose Martin
Councillor Cath Micklewright
Councillor Rob Robinson
Councillor John Rochelle
Councillor Angela Underhill
Councillor Mohammad Yasin

793/05 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Harrison and Turner.

794/05 **Minutes**

Resolved

That the minutes of the meetings held on 25 and 31 August 2005, copies having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record, subject to the following amendment to the minutes held on 31 August 2005:-

Page 6 - Minute No. 789/05, Paragraph 7;

Deletion of Councillor Rose and insertion of Councillor Martin as seconder to the proposal.

795/05 **Declaration of Interest**

A declaration of interest was submitted by Councillor Collins in respect of planning application no. 05/1322/FL/W3 – change of use to (A5) hot food take-away at 103 Stafford Street, Walsall.

796/05 **Deputations and Petitions**

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

797/05 **Late Items**

There were no late items introduced at this meeting.

798/05 **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.

799/05 **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.

800/05 **Item No. 2 – 05/0988/FL/W2 – Proposed hotel (amendment to approved scheme); proposed partial increase in height from 3 to 4 storeys and increase the number of bedrooms from 103 to 121 (amendment to 04/1661/RM/W2) at land adjoining Bescot Stadium, Bescot Crescent, Walsall –
GMI Property Co. Limited**

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

The Committee welcomed Mr. Kowalski, who wished to address the Committee in support of the application.

Mr. Kowalski advised the Committee that the applicants had worked hard to achieve a satisfactory layout and scheme which met planning requirements. Though he accepted that noise was a problem, it was his view that the choice as to whether to open windows or not should be left to the occupiers. He further stated that, should the decision be made to insist on sealed windows, then the applicants would abide by that decision.

There then followed a period of questioning by Members in relation to sealed windows and the design and layout of the site. In response, officers explained that sealed windows had been recommended on certain plots due to an increase in noise climate since the previous application was submitted. Sealed windows would also serve to protect the nearby factory as they would be vulnerable to complaints should residents complain once they took occupancy at the properties.

The Committee proceeded to discuss the application in detail.

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

That planning application no. 05/0988/FL/W2 be approved, subject to the conditions contained in the report and the following amendment to condition 5:-

To delete the words “the revisions will provide for sealed windows to all living and bedroom windows in all dwellings on plots B47 and B70 inclusive and all living and bedroom windows in all north-facing and west-facing facades of plots B71 to B86 inclusive”.

The motion, having been put to the vote, was declared **carried**; with 11 Members voting in favour of granting planning permission and 5 against.

Resolved

That planning application no. 05/0988/FL/W2 be approved, subject to the conditions contained in the report and the following amendment to condition 5:-

To delete the words “the revisions will provide for sealed windows to all living an bedroom windows in all dwellings on plots B47 and B70 inclusive and all living and bedroom windows in all north-facing and west-facing facades of plots B71 to B86 inclusive”.

801/05 **Item No. 6 – 05/0395/RM/H1 – Reserved matters application 159 apartments/houses, garages and associates works (Phase 1) at St. Margaret’s Hospital, Queslett Road, Birmingham, Walsall – Bovis Homes Limited**

The Planning Officer advised the Committee of the background to the report and, in doing so, advised that the description of the application should read “152” dwellings and not “159” as stated.

The Committee was informed that this application was linked to planning application nos. 05/0109/RM/H1 and 05/0396/RM/H1 as they all formed part of the same development.

Guidance was sought as to whether the Committee wished to have one presentation for all three applications. The Committee agreed to this request.

The Committee then welcomed the speaker on this application, Mr. Herod, who wished to address the Committee in support of the three applications.

Mr. Herod explained that, following extensive consultations with the Council, plans had been amended to achieve a satisfactory layout and scheme which met planning design standards. The site also provided affordable housing.

There then followed a period of questioning by members in relation to the allocation of Section 106 Agreements and the number and type of affordable housing on the site.

The Committee discussed the application in detail.

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

That planning application no. 05/0395/RM/H1
Be approved, subject to the conditions
contained in the report now submitted.

The motion, having been put to the vote, was declared **carried**; with 15 Members voting in favour of granting planning permission and none against,

Resolved

That planning application no. 05/0395/RM/H1 be approved, subject to the conditions contained in the report now submitted.

802/05 **Item No. 7 – 05/0109/RM/H1 – Construction of access road from Queslett Road junction to boundary of housing development site at St. Margaret’s Hospital, Queslett Road, Birmingham, Walsall – Bovis Homes Limited**

Further to discussions as detailed in minute no. 801/05, Members considered the application and Councillor Bird **moved** and it was duly **seconded** by Councillor Micklewright:-

That planning application no. 05/019/RM/H1 be approved, subject to the conditions contained in the report now submitted.

The motion, having been put to the vote, was declared **carried**; with 14 Members voting in favour of granting planning permission and none against.

Resolved

That planning application no. 05/0109/RM/H1 be approved, subject to the conditions contained in the report now submitted.

803/05 **Item No. 8 – 05/0396/RM/H1 – Construction of access road to serve Phase 1 of the residential development at St. Margaret’s Hospital, Queslett Road, Birmingham Road, Walsall – Bovis Homes Limited**

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

Further to discussions as detailed in minute no. 801/05, Members considered the application and Councillor Bird **moved** and it was duly **seconded** by Councillor Micklewright:-

That planning application no. 05/0396/RM/H1 be approved, subject to the conditions contained in the report now submitted.

The motion, having been put to the vote, was declared **carried**; with 14 Members voting in favour of granting planning permission and none against.

Resolved

That planning application no. 05/0396/RM/H1 be approved, subject to the condition contained in the report now submitted.

804/05

Item No. 14 – 05/1322/FL/W3 – Change of use to (A5) Hot Food Take-Away at 103 Stafford Street, Walsall – Mr. A. Mahmood

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

The Committee welcomed the first speaker on this application, Sahdia Munir (interpreting) for Mr. Amjad Mahmood in support of the application.

Ms. Munir addressed the Committee stating that a petition supporting the development was available for the Committee to view. Ms. Munir stated that the shop was very neglected, the conversion to a take-away would improve the area and provide a much needed service and employment opportunities for local residents.

In response to objections relating to car parking, Ms. Munir explained that the take-away would provide fast food and was aimed at the local neighbourhood, many of whom would walk to the outlet. It was emphasised that no matter what usage the shop took, it would have parking implications.

There then followed a period of questioning by Members in relation to car parking and opening times.

The Committee proceeded to discuss the application in detail.

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

That planning application no. 05/1322/FL/W3 be approved, subject to the following conditions:-

- (1) The hours of opening be restricted to 11.00 a.m. to midnight - Monday to Sunday;
- (2) That the siting of the flume be agreed with Officers;
- (3) That a grease trap be installed in the drains.

The motion, having been put to the vote, was declared **carried**.

Resolved (Unanimously)

That planning application no. 05/1322/FL/W3 be approved, subject to the following conditions:-

- (1) The hours of opening be restricted to 11.00 a.m. to midnight - Monday to Sunday;
- (2) That the siting of the flume be agreed with Officers;
- (3) That a grease trap be installed in the drains.

805/05 **Item No. 1 – 05/0988/FL/W2 – Proposed hotel (amendment to approved scheme); proposed partial increase in height from 3 to 4 storeys and increase the number of bedrooms from 103 to 121 (amendment to 04/1661/RM/W2 at land adjoining Bescot Stadium, Bescot Crescent, Walsall – GMI Property Co. Limited**

Resolved (Unanimously)

That planning application no. 05/0988/FL/W2 be approved, subject to the conditions contained in the report and supplementary report now submitted.

806/05 **Item No. 3 – 05/1047/FL/W3 – Demolition of ex-buildings and erection of 10 no. 2 bed 3 person flats and associated site works at former Derby Arms, between 58-72 Raleigh Street, Walsall – Accord Housing Association Limited**

Resolved (14 Members voting in favour and none against)

That planning application no. 05/10947/FL/W1 be approved, subject to the conditions contained in the report.

807/05 **Item no. 4 -05/1045/FL/W3 – Change of use to storage of construction industry containers at land off Darlaston Road (south of gas holders, west of M6), Walsall – H & H Holman Properties/Crown Street Interest Limited/Caledonian Building Services Limited**

This application was withdrawn from the agenda.

808/05 **Item No. 5 – 05/1370/FL/W7 – Extension of existing hotel and function room at The Royal Hotel, Ablewell Street, Walsall – The Royal Hotel**

Resolved (Unanimously)

That planning application no. 05/1370/FL/W7 be approved, subject to the conditions contained in the report.

809/05 **Item No. 9 – 05/1362/FL/E6 – Erection of 2 no. 3 storey dwelling houses and 9 no. two bed apartments (revised proposals to approved applications 04/0526/OL/E3 and 05/0628/RM/E4) at 97-113 Walsall Road, Aldridge, Walsall – Bellway Homes (West Midlands)**

Resolved (13 Members voting in favour and none against)

That planning application no. 05/1362/FL/E6 be approved, subject to the conditions set out in the report.

810/05 **Item No. 10 – 05/1558/RM/E4 – Application for reserved matter of landscaping pursuant of permission ref; 03/1308/FL/E4 at land to the rear of 7 Stackhouse Drive, Pelsall, Walsall – Harper Group**

Resolved (Unanimously)

That planning application no. 05/1558/RM/E4 be approved, subject to the conditions set out in the report.

811/05 **Item No. 11 – 05/1342/FL/E3 – Improve floodlighting on bowling green – Erection of 8 floodlights at Streetly Bowls Club, Briar Avenue, Sutton Coldfield, Walsall – Streetly Bowls Club**

Resolved (Unanimously)

That planning application no. 05/1342/FL/E3 be approved, subject to the conditions set out in the report.

812/05 **Item No. 12 – 05/1588/FL/E3 – Erection of purpose built storage building at 92-94 Lindon Road, Walsall – Mr. A. Harris**

Resolved (Unanimously)

That planning application no. 05/1588/FL/E3 be approved, subject to the conditions set out in the report.

813/05 **Former Hatherton Liberal Club and House, North Street, Walsall**

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

(see annexed)

Members considered the report detailing the condition and appearance of the site and requesting the authority to take planning enforcement action in the form of an unsightly land notice.

Resolved

- (1) That the Committee authorises the serving of an unsightly land notice under Section 215 of the Town and Country Planning Act, 1990;
- (2) That the decision as to the institution of legal proceedings in the event that the requisition for information or the notice under 215 is not complied with be delegated to the Assistant Director of Legal Services;
- (3) That the Head of Planning and Transportation and the Head of Legal Services be authorised to amend and add to or delete from the wording as set out above stating the nature of the breach(es) and the reason(s) for taking enforcement action and the requirement(s) of the notice or identifying the boundaries of the site.

814/05 **Resolution of Aldridge South and Streetly Local Neighbourhood Partnership – 6th September, 2005 – Public Forum – New Building Developments**

Resolved

That the resolution be noted.

Termination of Meeting

There being no further business, the meeting terminated at 7.55 pm.
following an adjournment between 7.30 and 7.40 p.m.

Signed:

Date: