

PLANNING COMMITTEE

Thursday 5th January, 2017 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor M. Nazir (Chairman)
Councillor Worrall (Vice Chairman)
Councillor Barker
Councillor Bird
Councillor P. Bott
Councillor Chambers
Councillor Craddock
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Follows
Councillor Harris
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Sarohi
Councillor I. Shires
Councillor Sohal
Councillor Young

1647/16 Apology:

No apologies were submitted.

1648/16 Minutes

Resolved

That the minutes of the meeting held on 1st December, 2016, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record subject to an apology being included for Councillor Young.

1649/16 Declarations of Interest

Councillor Sohal declared a non-pecuniary interest in plans list item number 3- application number 16/1245- proposed first floor extension to accommodate two additional classrooms at Guru Nanak Sikh Temple, 127 West Bromwich Street, Walsall, WS1 4DE.

Councillor Perry declared a non-pecuniary interest in plans list item number 7- application number 16/0755- part change of use to cattery and construction of cattery building at end of rear garden at 20 Coronation Road, Pelsall, Walsall, WS4 1BG.

These members took no part in the discussion or voting on those items.

1650/16 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

1651/16 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items to be considered in private session.

1627/16 **38-40 West Bromwich Street, Caldmore, Walsall, WS1 4BW**

The report of the Head of Planning, Engineering and Transportation was submitted;

(see annexed)

The Planning Officer advised the Committee of the background to the report and supplementary paper. He reported that officers had visited the site on 4th January and the ATM was still in situ. He added that the request for information had now been returned so no action was required as it is non-return.

Resolved

That this Committee:-

- (1) Authorises the Head of Planning, Engineering and Transportation to issue an Enforcement Notice under the Town and Country Planning Act, 1990 (as amended) to require the permanent removal of an Automated Teller Machine (ATM) and associated equipment, fixtures and fittings from the front of the building at 38-40 West Bromwich Street, Caldmore, Walsall, WS1 4BW and make good the resultant aperture;
- (2) Authorises the Head of Planning, Engineering and Transportation to institute legal proceedings in the event of non-compliance with an Enforcement Notice or the non-return of requisitions for information or a planning contravention notice; and the decision as to the institution of injunctive proceedings in the event of a continuing breach of planning control;
- (3) Authorises the Head of Planning, Engineering and Transportation to amend, add to or delete from the wording set out below 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, in the interest of ensuring that accurate and up to date notices are served; and

- (4) Authorises the Head of Planning, Engineering and Transportation to instigate legal proceedings to prosecute the owner(s) and/or occupier(s) and other relevant persons, under section 224 of the Town and Country Planning Act, 1990 in respect of displaying advertisements without the consent required under the Town and Country Planning (control of advertisements) Regulations 2007, for the reasons set out in the report.

1628/16 **Application List for permission to develop**

The application list for permission to develop was submitted together with supplementary papers and information for items already on the plans list.

(see annexed)

The Committee agreed 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 after two minutes they would be advised they had one minute left.

1629/16 **Item number 1- application number 16/1043- proposed construction of a new canopy to accommodate a proposed waste of detergents De-Packaging Operation at Veolia's Empire Works, Stubbers Green Road, Aldridge, Walsall- Veolia's UK Limited Empire Works, Stubbers Green Road, Aldridge, Walsall, WS9 8BL**

The Planning Officer advised Committee of the background to the report and supplementary paper were now submitted:-

(see annexed)

The Committee welcomed the first speaker on the application, Mr Davies, who supported Officers' recommendations but indicated that he did not wish to address the meeting but would answer any questions posed by members.

The Committee then welcomed the second speaker on this application, Mr Sammons, who also supported Officer's recommendations, did not wish to address the meeting but would answer any questions posed by members.

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

That planning application- 16/1043 be granted subject to conditions contained within the report and supplementary paper now submitted.

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

Resolved

That planning application- 16/1043 be granted subject to conditions contained within the report and supplementary paper now submitted.

1630/16 **Item number 5- Application number 16/0812- Change of use of car park of 221 Lichfield Road to mixed use car park and car wash at 221 Lichfield Road, Willenhall, WV12 5BE**

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

Councillor Bird asked if the applicant had been invited to attend the meeting. It was confirmed that the applicant, Mr Ludhi, had been invited to the meeting.

The Committee then welcomed the only speaker, Mr Shires who spoke in objection to Officers' recommendations.

There were no questions to the speaker.

There then followed a period of questioning by members to Officers regarding the number of times Highway Officers had visited the site; traffic conflict within the site and queuing of vehicles on to Lichfield Road. Concern was also expressed over spray affecting neighbouring properties.

In response, the Highways Officer reported that he had visited the site on three occasions to assess vehicle movements and had not observed any vehicle conflict or queuing onto Lichfield Road. The Environmental Health Officer reported that if spray became a problem, then action could be taken to remedy the situation.

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

That planning application number 16/0812 be granted subject to conditions contained within the report and supplementary paper now submitted.

The motion, having been put to the vote, was declared **carried** with ten members voting in favour and six voting against and it was

Resolved

That planning application number 16/0812 be granted subject to conditions contained within the report and supplementary paper now submitted.

1631/16 **Item number 6- Application number 16/1600- Proposed spray booth at 13a Woden Road West, Darlaston, Wednesbury, WS10 7SF**

The Planning Officer advised Committee of the background of the report and supplementary paper now submitted.

(see annexed)

The Committee welcomed the first speaker on the application, Mr Skelding, who spoke in objection to Officers' recommendations.

The Committee then welcomed the second speaker on the application, Mr Peter Bott, who also spoke in objection to Officers' recommendations.

The Committee then welcomed the third speaker on the application, Mr Sehdeva, who spoke in support of Officers' recommendations.

There then followed a period of questioning by members to the speakers and to Officers which included queries regarding the investment involved; complaints to the company about existing noise and spraying of vehicles in the open air; smell nuisance; height of the proposed building; use of solvent based paints; provision of a Liaison Officer and protection of the tree screen.

In response, it was reported that the company was making a significant investment in the new plant and 15-20 extra jobs would be created. The spray booth would mean that all spraying would be carried out within the building and air would be filtered before being released to the atmosphere so smells and fumes should be eliminated.

During Member debate, Councillor Bott declared a non-pecuniary interest in the matter and did not take part in the vote.

It was then **moved** by Councillor Bird and **seconded** by Councillor Sohal:-

That planning application number 16/1600 be granted subject to conditions as contained within the report and supplementary paper now submitted.

The Motion having been put to the vote was declared **tied**, with 8 members voting in favour and 8 members voting against. The Chair used his casting vote against the motion which was **lost**.

Committee proceeded to discuss the application further and it was **moved** by Councillor Nawaz and **duly seconded**:-

That consideration of planning application number 16/1600 be deferred for one cycle to enable Officers to obtain further information on the materials to be used in the construction of the spray booth building.

The Motion having been put to the vote was declared **carried**, with 9 members voting in favour and 6 members voting against.

Resolved

(Councillor Bird voting against)

That consideration of planning application number 16/1600 be deferred for one cycle to enable Officers to obtain further information on the materials to be used in the construction of the spray booth building.

1632/16 **Item number 7- application number 16/0755- part change of use to cattery and construction of cattery building at end of rear garden at 20 Coronation Road, Pelsall, Walsall, WS4 1BG**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the first speaker on this application, Louise Deeley, who spoke in objection to Officers' recommendations.

The Committee then welcomed the second speaker on this application, Mr Smith, who spoke in support of Officers' recommendations.

There then followed a period of questioning by members to the speakers and to Officers which included queries regarding the introduction of a commercial use into a residential area; noise and smell from the cats and adequacy of parking in the vicinity.

In response it was reported that the cats would be retained within their pens and would be locked into their sleeping areas at night. Regular cleaning would prevent odour nuisance. As visitors would be received between 9 and 10am and 4 and 6pm Monday to Saturday only, parking should not be a problem. Four cars could be accommodated on the front driveway.

It was **moved** by Councillor Bird and **seconded** by Councillor Craddock:-

That planning application number 16/0755 be refused as it would introduce a commercial use into a residential area and was an inappropriate development of the site due to the lack of parking.

The motion having been put to the vote was declared **lost**, with 6 members voting in favour of the refusal of permission and 8 voting against.

In view of the motion falling, members again considered the application and Councillor Young **moved** and it was **duly seconded**:-

That planning application number 16/0755 be granted subject to conditions as contained within the report and supplementary paper now submitted.

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

Resolved

That planning application number 16/0755 be granted subject to conditions as contained within the report and supplementary paper now submitted.

1633/16 **Item number 8- application number 16/1147- change of use, conversion and extension of existing car parking structure to five houses at car park off Sister Dora gardens, Walsall.**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the only speaker on this application, Mr Carr, who spoke in support of Officers' recommendations.

There then followed a period of questioning by members to the speaker and to Officers which included queries regarding parking problems in the area.

In response, it was reported that parking surveys had been carried out in 2010 and 2015 and 66% of parking spaces were in use.

At this point in the meeting, Councillor Bird **moved** and it was **duly seconded**:-

That standing order 9(a) of the Council's constitution be suspended in order for the Committee to conclude the remainder of its business.

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

Resolved

That standing order number 9(a) of the Council's Constitution be suspended in order for the Committee to conclude the remainder of its business.

Committee proceeded to discuss the application further and Councillor Worrall **moved** and it was **duly seconded**:-

That planning application number 16/1147 be granted subject to conditions as contained within the report and the supplementary paper now submitted.

The motion, having been put to the vote was declared **carried**, with 15 members voting in favour and 1 voting against.

Resolved (Councillor Nawaz voting against)

That planning application number 16/1147 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1634/16 **Item number 10- application number 16/0957- erection of 1 number Dwelling House and associated works at land adjacent 64 Borneo Street, Walsall, WS4 2HY**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the first speaker on the application, Mrs Sheldon, who spoke in objection to the Officers' recommendations.

The Committee then welcomed the second speaker on the application, Mr Brearley, who spoke in support of Officers' recommendations.

Members considered the application then it was **moved** and **seconded**:-

That planning application number 16/0957 be granted subject to conditions as contained within the report and supplementary paper now submitted.

The motion having been put to the vote was declared **carried**, with 12 members voting in favour and 4 against.

Resolved

That planning application number 16/0957 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1635/16 **Item number 12- application number 16/1324- First floor side, part two, part single storey rear extension at 83 Weston Crescent, Aldridge, WS9 0HA**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the first speaker on the application, Mrs Wishart, who spoke in objection to the Officers' recommendations.

The Committee then welcomed the second speaker on the application, Mr Wishart who also spoke in objection to Officers' recommendations.

The Committee then welcomed the third speaker on the application, Mr Powell, who spoke in support of Officers' recommendations.

There were no questions to the speakers or Officers.

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

That planning application number 16/1324 be granted subject to conditions contained within the report.

The motion having been put to the vote was declared **carried** with 17 members voting in favour and none against.

Resolved

That planning application number 16/1324 be granted subject to conditions contained within the report now submitted.

1636/16 Item number 13- application number 16/0837- Single story annex for living accommodation at rear of 10 The Meadows, Aldridge, WS9 0LB

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the first speaker on this application, Mrs Savigar who spoke in objection to the Officers' recommendations.

The Committee then welcomed the second speaker on this application, Mr Latham, who also spoke in objection to Officers' recommendations.

There were no questions to the speakers.

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

That planning application number 16/0837 be refused on the grounds of over-development of the site, that the development would generate increased vehicle movements, represent piecemeal development in a back land location and be out of character with the surrounding patterns of development.

The motion having been put to the vote was declared **carried**, with 9 members voting in favour and none against.

Resolved

That planning application number 16/0837 be refused on the grounds of over development of the site, that the development would generate increased vehicle movements, represent piecemeal development in a back land location and be out of character with surrounding patterns of development.

1637/16 Item number 14- application number 16/1217- Single storey rear extension at 6 Three Crowns Close, Walsall, WS5 3AL

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee welcomed the first speaker on the application, Mr Aqbal, who spoke in objection to Officers' recommendations.

The Committee then welcomed the second speaker on this application, Councillor Andrew, who also spoke in objection to Officer's recommendations. There were no questions to the speakers.

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

That planning application number 16/1217 be granted, subject to the usual conditions including time limit to commence and materials to be used.

The motion having been put to the vote was declared **carried**, with 15 members voting in favour and none voting against.

Resolved

That planning application number 16/1217 be granted, subject to the usual conditions including time limit to commence and materials to be used.

1638/16 Item number 15- application number 16/1532- Proposed detached Garage/Workshop with vehicle access from Rowan Road and new boundary fencing fronting Rowan Road at 18 Poplar Avenue, Walsall, WS5 4EU

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee then welcomed the only speaker on the application, Mr Woodward, who spoke in objection to Officers' recommendations.

There were no questions to the speaker.

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

That consideration of planning application number 16/1532 be deferred for one cycle to discuss with the owner the possibility of considering an alternative garage location and drawings to include the extension being constructed to the rear of the dwelling.

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

Resolved

That planning application number 16/1532 be deferred for one cycle to discuss with the owner the possibility of considering an alternative garage location and drawings to include the extension being constructed to the rear of the dwelling.

1639/16 **Item number 11- application number 16/1643- Proposed residential development (outline)- resubmission of application number 16/0921 at land and garages on Slaters Lane to rear of 90 Sheridan Street, Slaters Lane, Walsall, WS2 9AQ**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

Members considered the application and Councillor Sarohi expressed concern that two storey buildings would be erected on the site which would result in overlooking of properties in Sheridan Street from rear and side facing windows. He then **moved** and it was **duly seconded** by Councillor Bird:-

That planning application number 16/1643 be refused on the same grounds as the preceding application number 16/0921 that the application has failed excluding the loss garages and coal mining to demonstrate that the proposals can be developed to provide a satisfactory residential environment for its future occupiers: will not have an adverse impact on existing occupiers and residents; the design of the future residential development will enhance the local area; will respect the character of the area and will be of an appropriate scale and well integrated into the existing pattern of settlement and surrounding land uses.

The motion having been put to the vote was declared **carried**, with 12 members voting in favour and none against.

Resolved

That planning application number 16/1643 be refused on the same grounds as preceding application number 16/0921 that the application has failed to demonstrate that the proposals can be developed to provide a satisfactory residential environment for its future occupiers; will not have an adverse impact on existing occupiers and residents; the design of future residential development will enhance the local area; will respect the character of the area and will be of an appropriate scale and well integrated into the existing pattern and settlement and surrounding land uses.

1640/16 **Item number 4- application number 16/1160- temporary fencing to part of site, temporary change of use of part of site to Car Sales Lot at land c/o Wolverhampton Road and Hollyhedge Lane, Walsall**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

Members considered the application and Councillor Bird expressed concern at the impact to Highways safety from visitors to the site and from deliveries. He also felt that granting the temporary permission would prejudice the

development of the site for housing. He requested that an enforcement report be presented to the next meeting of the Committee requiring the site to be cleared of all vehicles, buildings, chattels, water supply, electricity supply and fencing and that the site be left in a clean and tidy condition. He then **moved** and it was **seconded** by Councillor Shires:-

- (1) That planning application number 16/1160 be refused on the grounds that the development would be contrary to policy HC1 of the emerging SAD and BCCS policy DEL2 by prejudicing the development of the site for housing and also on the impact to the highway safety from visitors to the site and from deliveries to the site creating a high way safety concern at a busy strategic highway junction;
- (2) That an enforcement report be presented to the next meeting of the Committee requiring the site to be cleared of all vehicles, buildings, chattels, water supply, electricity supply and fencing and that the site be left in a clean and tidy condition.

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

Resolved

- (1) That planning application number 16/1160 be refused on the grounds that the development would be contrary to policy HC1 of the emerging SAD and BCCS policy DEL2 by prejudicing the development of the site for housing and also on the impact to the highway safety from visitors to the site and from deliveries to the site creating a high way safety concern at a busy strategic highway junction;.
- (2) That an enforcement report be presented to the next meeting of the Committee requiring the site to be cleared of all vehicles, buildings, chattels, water supply, electricity supply and fencing and that the site be left in a clean and tidy condition.

1641/16 **Item number 3- application number 16/1245- proposed first floor extension to accommodate two additional class rooms at Guru Nanak Sikh Temple, 127 West Bromwich Street, Walsall, WS1 4DE**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

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

That planning application number 16/1245 be granted subject to conditions as contained within the report now submitted.

The **motion** having been put to the vote was declared **carried** with all members voting in favour.

Resolved

That planning application number 16/1245 be granted subject to conditions contained within the report now submitted.

- 1642/16 **Item number 2- application number 16/1517- Portal frame extension to form new B1C/B2/B8 unit with associated offices (1446m2) parking and altered vehicle access at Geddes Packaging, Dumblederry Lane, Aldridge, Walsall, WS9 0DH**

Resolved

That planning application number 16/1517 be granted subject to conditions as contained within the report and supplementary paper now submitted.

- 1643/16 **Item number 9- application number 16/0517- demolish existing club and build one off detached dwelling and pair of semi-detached houses. Resubmission of 15/1335 at The Manor Club, Harper Street, Willenhall, Walsall, WV13 1SW**

Resolved

That planning application number 16/0517 be granted subject to conditions as contained within the report and supplementary paper now submitted.

- 1644/16 **Termination of meeting**

There being no further business, the meeting terminated at 9.30pm.

Signed:

Date: