

PLANNING COMMITTEE

Thursday, 26th April 2012 at 5.30 p.m.

Present

Councillor Perry (Chairman)
Councillor Bird (Vice-Chairman)
Councillor Ali
Councillor Azam
Councillor Creaney
Councillor Cook
Councillor Ditta
Councillor Douglas-Maul
Councillor Harris
Councillor James
Councillor Madeley
Councillor Rochelle
Councillor Sarohi

3086/12 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Jeavons, Thomas, Turner, Westley and Woodruff.

3087/12 **Minutes**

Resolved

That the minutes of the under mentioned meetings be approved and signed by the Chairman as correct records:-

Special Meeting - 14th March 2012

Meeting - 29th March 2012

3088/12 **Declarations of Interest**

Members declared interests in the items on the agenda as follows:-

Councillor M A Bird - Personal Interest - Item 3 on application list for permission to develop - 12/0045/FL - Change of use of former Co-operative Office Building (Use Class B1 (a) to Funeral Directors (Use Class A1) with the erection of extensions and alterations to the rear of the office building and the erection of a new 32 bay storage garage for ceremonial vehicles and amenity block on car park to the rear (between Fordbrook and Railway) with associated landscaping, car parking and pedestrian access on to Albert Street at 10 Hatherton Road and car park to the rear, Walsall. His daughter works for the Co-op.

Councillor Madeley - Personal Interest - 71 Walsall Road, Darlaston - he had been contacted by the occupier of the premises complaining about the action, who he advised should write to the Chief Executive.

Councillor Ditta - Personal - Item No.1 - 11/0242/FL - Retrospective change of use to school and retention of mobile classrooms, prayer hall/ recreation room and building lobbies with shared car park for mosque and school at 138-166 Wednesbury Road, Walsall, WS1 4JJ - Former School Governor.

3089/12 **Deputation and Petitions**

There were no deputations submitted or petitions received.

3090/12 **Local Government (Access to Information) Act 1985 (as amended)**

There were no items for considered in the private session.

The Chairman reminded members that this would be Councillor Madeley's last meeting as he had decided not to stand for re-election; his work on Planning had been recognised and he would be missed on all the Committees that he had been associated with. The Chairman wished Councillor Madeley well and hoped that he would continue to keep a guiding eye on development in Darlaston.

Councillor Madeley stated that although he would not be a member of the Council he would still work within the Community. He would miss his role as it had been a big part of his life; he thanked Officers for their work and support.

Councillors Bird, Cook, Ali and Harris thanked Councillor Madeley for his work over the years and wished him well.

The Chairman welcomed the young people in the gallery who were representing the Third Streetly Scout Group.

3091/12 **Confirmation of Tree Preservation Order Number 12 of 2011 - Land at Dimminsdale, Willenhall.**

The report of the Head of Free Regeneration - Development and Delivery was submitted.

(see annexed)

Resolved

- (1) That the Walsall Tree Preservation Order no. 12 of 2011 be confirmed in an unmodified form as set out in the report now submitted;
- (2) That the reason for making the Tree Preservation Order, set out in paragraph 10 of the report, be supported;
- (3) That the Committee note that one representation had been received in respect of the Tree Preservation Order.

3092/12

Confirmation of Tree Preservation Order 14 of 2011 - Land at and adjacent to 2 Moat Farm Way, Pelsall.

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

(see annexed)

Resolved

- (1) That Walsall Tree Preservation Order 14 of 2011 be confirmed in an unmodified form as set out in the report now submitted;
- (2) That the reason for making the Tree Preservation Order, set out in Paragraph 10 with the report be supported;
- (3) That the Committee note that one representation had been received in respect of this Tree Preservation Order.

3093/12

71 Walsall Road, Darlaston

Having declared an interest in this item, Councillor Madeley left the meeting and took no part in the discussion or voting thereon.

The report of the Head of Planning and Building Control was submitted.

(see annexed)

After consideration it was

Resolved

- (1) That authority be given for the issuing of an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken as shown in Paragraph 2.3 of the annexed report;

- (2) That the decision as to the Institution of Prosecution 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 control, be delegated to the Assistant Director – Legal and Democratic Services in consultation with the Head of Planning and Building Control Services.
- (3) That, in the interest of ensuring that accurate and up to date notice(s) are served, authority be delegated to the Assistant Director – Legal and Democratic Services in consultation with the Head of Planning and Building Control, to amend, add to, or delete from the wording set out in the annexed report 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.

3094/12 **Section 106 Report – Financial Year 2011/12**

The report of the Head of Planning and Building Control was submitted

(see annexed)

Resolved

That the contents of the report be noted.

3095/12 **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 members of the public have previously indicated that they wished to address the Committee first. The Chair, at the beginning of each item for which there were speakers, advised of the procedure whereby the Speaker would have 3 minutes to speak and then at 2 minutes they would be reminded that they had one minute left to start.

3096/12

Item 7 - 12/0145/OL - Outline Planning Application (all matters reserved for later approval). New single storey Scout Group Headquarters building, with two outdoor playing pitches, associated car parking and circulation with new vehicle access to Aldridge Road at Farmer Johns Tennis Club, Aldridge Road, Streetly, West Midlands B74 2SX.

The Planning Officer outlined the background to the Report and the information contained within the supplementary paper. The Committee welcomed the first Speaker on the application, Mr Sabin who spoke in support of the application.

The Committee then welcomed the second Speaker, Councillor E Hughes, who also spoke in support of the application.

As there were no questions, the Committee proceeded to discuss the application in detail.

Resolved

That Planning Application Number 12/0145/0L be granted conditional outline permission, subject to conditions as set out in the annexed report and referral to the National Planning Unit.

3097/12

Item No.1 - 11/0242/FL - Retrospective change of use to school and retention of mobile classrooms, prayer hall/ recreation room and building lobbies with shared car park for mosque and school at. 138-166 Wednesbury Road, Walsall, WS1 4JJ.

The Planning Officer outlined the contents of the report together with the information contained on Pages 1 and 2 of the Supplementary Paper as submitted.

The Committee welcomed Mr Reade who spoke in support of the application.

The Committee then welcomed Mr Ramzan who also spoke in support of the application.

Mr Luqman and Councillor Arif attended but did not speak.

There followed a period of questioning by members to the Speakers and Officers including the possibility of extending the period of permission from 3 years to 5 years to enable the charity to raise additional funds to enable the school to be rebuilt and an increase in the period for the conditions to be compiled with from 3 months to 5 months in order that work could be carried out during the school holiday period, this would include work in respect of possible flooding.

After consideration it was

Resolved

- (1) That Planning Application no.11/0242/FL in respect of a retrospective change of use to school and retention of mobile classrooms, prayer hall/recreation room and building lobby's with shared car park for mosque and school be granted for a temporary period of 5 years subject to conditions set out in the annexed report;
- (2) That the conditions set out in paragraphs 2a, 2b, 2d and 3 be extended from 3 months to 5 months to enable work to be carried out during school holidays

3098/12

Item 2 - 07/1535/FL/E11 - Demolition of former Public House and construction of 58 Flats at Former Warreners Arms Public House, High Street/Ogley Road, Brownhills, Walsall.

The Planning Officer outlined the details of the application as included in the report and pages 2, 3 and 4 of the Supplementary Paper

(see annexed)

The Committee welcomed Cassidy, the first Speaker who spoke against the application.

The Committee then welcomed Mr K Price, the second Speaker who spoke in favour of the application. There followed a period of questioning by members to the Speakers and Officers including concerns that had been raised regarding the traffic situation at the junction of Ogley Road with High Street and parking at the site; after consideration it was

Resolved

That the application be deferred to enable:-

- (1) a solution to the traffic problems at the junction of Ogley Road and High Street as requested by the Project Reference Group
- (2) confirmation from the Fire Service that there is acceptable access by emergency vehicles to the rear car park and blocks B and C of the proposed development;

3099/12

Item 3 - 12/0045/FL - Change of use of former Co-operative Office Building (Use Class B1 (a) to Funeral Directors (Use Class A1) with the erection of extensions and alterations to the rear of the office building and the erection of a new 32 bay storage garage for ceremonial vehicles and amenity block on car park to the rear (between Ford Brook and Railway) with associated landscaping, car parking and pedestrian access on to Albert Street at 10 Hatherton Road and car park to the rear, Walsall.

Councillor Bird, having declared a personal interest in this item left the room and took no part in the discussion or voting.

The Planning Officer outlined the details of the application together with the information contained on pages 4 and 5 of the Supplementary Paper now submitted:-

(see annexed)

Resolved

That Conditional Planning Permission be granted subject to satisfactory resolution of the Environmental Agency's concerns and subject to the conditions set out in the annexed report.

400/12

Item 4 - 12/0142/FL - Change of use from Waste Recycling Centre (Sui Generis) to General Industrial/Storage Distribution (B2/B8) at Unit 2, Bull Lane, Wednesbury, Walsall, WS10 8RR.

The Planning Officer outlined the details of the application together with the information contained on pages 5 and 6 of the Supplementary Papers now submitted:-

(see annexed)

Resolved

That planning application 12/0142/FL be granted subject to conditions as set out in the annexed report

401/12

Item 5 - 12/0020/FL - Single storey rear/side extension to existing school to form 6 new classrooms at Shire Oak School, Lichfield Road, Walsall Wood, Walsall, WS9 9PA

The Planning Officer outline the details of the application together with the information contained on page 6 of the Supplementary Paper

(see annexed)

Resolved

That planning application no. 12/0020/FL be granted subject to conditions as set out in the annexed report and subject to the National Planning Policy Framework being referred to in the summary of reasons for granting planning permission.

402/12

Item 6 - 12/0163/FL - First floor side and ground floor rear extension at 114 Little Hardwick Road, Walsall WS9 0SF.

The Planning Officer outlined the details of the application together with the information set out on page 6 of the Supplementary Paper:-

(see annexed)

Resolved

That the Head of Planning and Building Control be delegated authority to approve the application subject to the conditions set out in the report now submitted together with the inclusion of the reference to the National Planning Policy Framework being included in the summary of reasons for granting planning permission.

Termination of meeting

There being no further business the meeting terminated at 7.05 p.m.

Signed:

Date: