

Planning Committee

Thursday 7 September 2023 at 5.30pm

In the Council Chamber, the Council House, Walsall.

Present:

Councillor M. Bird (Chair)
Councillor M. Statham (Vice-Chair)
Councillor B. Bains
Councillor H. Bashir
Councillor N. Gandham
Councillor A. Garcha
Councillor A. Harris
Councillor A. Hussain
Councillor K. Hussain
Councillor R. Larden
Councillor R. Martin
Councillor J. Murray
Councillor S. Nasreen
Councillor A. Nawaz
Councillor S. Samra
Councillor V. Waters

In attendance:

A. Ives	Head of Planning and Building Control
R. Ark	Principal Environmental Protection Officer
M. Brereton	Group Manager, Planning
K. Gannon	Development Control and Public Rights of Way Manager
S. Hollands	Principal Planning Officer
K. Knight	Senior Transport Planner
A. Sargent	Principal Solicitor
A. Scott	Senior Planning Officer
D. Smith	Senior Legal Executive
A. White	Team Leader Development Manager
N. Gough	Democratic Services Officer
E. Cook	Democratic Services Officer
L. Cook	Assistant Democratic Services Officer

25 Apologies

Apologies for absence were submitted on behalf of Councillor Follows and Councillor I. Hussain

26 Declarations of Interest

There were no declarations of interest received.

27 **Deputations and Petitions**

There were no deputations or petitions submitted.

28 **Minutes of previous meeting**

Resolved

That the minutes of the meeting held on 22 June 2023 and of the special meeting held on 20 July 2023, copies having previously been circulated to each member of the Committee, be approved and signed by the Chair as a correct record.

29 **Local Government (Access to Information) Act 1985 (as amended)**

Exclusion of the Public

There were no items on the agenda to be considered in private session.

30 **Application List for Permission to Develop**

The application list for permission to develop (the plans list) was submitted, together with a supplementary report which provided additional information on items already on the plans list.

(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 first. The Chair, at the beginning of each item for which there were speakers, confirmed they had been advised of the procedure whereby each speaker would have two minutes to speak.

The Chairman advised the Committee that Plans List Item 3 - Application 21/1797 – Land North of Northfields Way, Clayhanger - had been withdrawn from the agenda and deferred for consideration at a future meeting.

31 **Plans List 1 – 23/0118 Wienerberger Ltd, Sandown Works, 175 Stubbers Green Road, Aldridge, Walsall, WS9 8BL**

The Senior Planning Officer presented the report of the Head of Planning and Building Control and the additional information included in the supplementary paper.

(annexed)

There was one speaker in support of the item, Mr Alistair Hoyle. Mr Hoyle explained that the site would be forced to close within five years due to depleted clay supplies if the existing planning condition (to allow import of clay) was not removed, resulting in sixty-two job losses and a further indirect effect on local employment. Further to

questions from Members, the speaker confirmed that the proposed amendment to conditions would result in two additional HGV journeys per day driving onto the site. Responding to questions, Mr Hoyle confirmed that there were currently seventy-eight journeys per day onto the site, which would increase to eighty journeys.

Members highlighted that there had been brickmakers in the area since the 1800s and sought clarity regarding the impact on the Public Right of Way at the location, and it was confirmed would be unaffected.

It was **moved** by Councillor Bird and **seconded** by Councillor Nawaz and upon being out to the vote it was;

Resolved (Unanimously)

That Planning Committee delegate to the Head of Planning & Building Control to grant planning permission for application 23/0118, subject to conditions and subject to:

- **No new material considerations;**
- **The amendment and finalising of conditions;**
- **No further comments from a statutory consultee raising material planning considerations not previously addressed.**

32 **Plans List 2 – 23/0338 Sites at Temple Bar, Cemetery Road, Villers Street, New Hall Street and Former Ingersoll Rand Architectural Hardware, Moat Street, Willenhall, WV13 1SZ**

The Principal Planning Officer presented the report of the Head of Planning and Building Control and additional information included in the supplementary paper,

(annexed)

The Principal Planning Officer provided an overview of the proposed development, explained the layout of the plots of land and the indicative plans, highlighting that this was an outline application.

Responding to questions, the Group Manager (Planning) explained that all of the sites included in the proposed development had been identified as acceptable for residential development following comprehensive assessments according to planning policy. Officers confirmed that the proposed open space would be connected to the existing open space.

Members expressed satisfaction in receiving proposals for the regeneration and improvement of an area currently plagued by dereliction and presenting an eyesore.

It was **moved** by Councillor Nawaz and **seconded** by Councillor K. Hussain and upon being out to the vote it was;

Resolved (Unanimously)

That Planning Committee delegate to the Head of Planning & Building Control to grant planning permission for application 23/0338, subject to conditions and a Section 111 Agreement to secure a Section 106 Agreement to include affordable housing provision and open space contribution and subject to:

- **The amendment and finalising of conditions;**
- **Addressing concerns regarding flood risk/drainage, ground conditions, heritage, trees, Public Rights of Way, noise and malodour from nearby businesses; and**
- **Subject to no further objections from statutory consultees in response to the amended plans received.**

33 Plans List 4 – 20/0616 Boatmans Rest, 20 High Street, Walsall Wood, Walsall, WS9 9LP

The Senior Planning Officer presented the report of the Head of Planning and Building Control and additional information included in the supplementary paper.

(annexed)

The Chairman confirmed that the Member who had been lobbied and had called in the application was not a Member of the Planning Committee. All Members of the Committee present confirmed that they had not been contacted or lobbied regarding the application in question.

There were two speakers against the application, Mr Jon Eardley and Mr Faulkner, and two speakers in support of the application, Mr Mike Kalam and Mr Gurdeep Sanghera.

Mr Eardley explained that the properties on St John's Close had an average of 2.5 cars per house and the proposed development would not provide adequate parking spaces to cater for the new development. Due to the nearby church, medical centre and the High Street, parking on the street was often chaotic. The proposed development was not in keeping with the area and existing street scene. Mr Faulkner added that a covenant put in place by Walsall Council in 1984 existed, requiring a two-metre high fence or wall at the rear of the Boatman's Rest. St John's Close was now a through-road and the proposed access onto the street was at the narrowest point, posing a potential highways hazard including for service and emergency vehicles, especially when combined with on-street parking.

Mr Sanghera explained that the application had been in the system for three years and claimed he had not been given adequate opportunities to address issues raised. He stated that he would be prepared to pay the Cannock Chase SAC contributions and explained that Highways officers had requested the access be moved to the rear, which had been done accordingly. Mr Sanghera clarified that there were sixteen parking spaces provided. Mr Kalam added that there had been no requests for further amendments received from Highways officers, despite requests for updates being made by the applicant. The size of all flats were policy compliant and the objections regarding the amenity space were a result of the request for the access to be moved. Mr Kalam also claimed that the twenty-four-metre distance to

the neighbouring properties encompassed the width of the road, and suggested that the policy was not correctly applied.

Responding to questions, Mr Sanghera explained that he had owned the Boatman's Rest site and business for eight or nine years and that although it remained open, it was not a successful or sustainable business. Mr Khalam explained that the sizes of all apartments had been clearly provided and that they exceeded the technical housing standards required.

In response to questions Mr Eardley explained that parking was an issue on St John's Close at all times of the day and that the street was also used as a turning place for people accessing the High Street. The existing building was part of the heritage of the area and an important feature of the existing street scene, whilst the proposed development was not in-keeping with the existing street scene. Towards the end of St John's Close, houses had smaller driveways which could only accommodate one vehicle resulting in residents having to park on the road. On-street parking issues were exacerbated by visitors to the nearby medical centre and church parking on St John's Close, especially during events at the church.

Responding to questions, the Development Control and Public Rights of Way Manager confirmed that due to the intensification of use at the site during peak times, Highways officers had determined that it would be beneficial for the residential traffic at the proposed development to leave onto a residential street rather than the strategic highway and had asked for the access to be moved accordingly. According to the UDP the maximum standard required was 1.5 parking spaces per property and the sixteen spaces provided met the needs of the proposed development. As the needs of the site were met, objections from highways could not be raised regarding parking on the local network. Accidents on the High Street were not a material consideration due to the proposed access being at the rear of the site onto St John's Close. The Development Control and Public Rights of Way Manager confirmed that a highways objection remained in place regarding the footpath requirement identified.

The Head of Planning and Building Control clarified that the Cannock Chase SAC was included as a reason for refusal as although the applicant had expressed a willingness to pay the necessary contributions, as the existing recommendation was for refusal, SAC contributions were not actively being sought. They also clarified that covenants could not be considered as material planning considerations.

Debating the application, the Chairman explained that Officers had confirmed they had had contact with the applicant and agent throughout, but that information had not been forthcoming. Members expressed concerns regarding the historic and community value of the existing property as well as the density of the proposed developments. Some Members expressed sympathy with the principle of residential development on the site, notwithstanding the reasons for recommended refusal.

It was **moved** by Councillor Bird and **seconded** by Councillor Murray and upon being out to the vote it was;

Resolved (Unanimously)

That Planning Committee delegate to the Head of Planning and Building Control to refuse planning permission for application 20/0616, for the reasons set out in the officer's report and the supplementary paper.

Termination of meeting

The meeting terminated at 7:02pm

Signed.....

Date.....