

## **DEVELOPMENT CONTROL COMMITTEE**

**Wednesday 30 March 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 Arthur Bentley  
Councillor John Cook  
Councillor Brian Douglas-Maul  
Councillor Haqnawaz Khan  
Councillor Bill Madeley  
Councillor Rose Martin  
Councillor Alan Paul  
Councillor John Rochelle  
Councillor Carol Rose  
Councillor Tony Rowley  
Councillor Christopher Towe  
Councillor Mohammad Yasin  
Councillor Patricia Young

#### **598/05 Apologies**

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

#### **599/05 Minutes**

##### **Resolved**

That the minutes of the meeting held on 8 March 2005, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

#### **600/05 Declarations of Interest**

Councillor Rowley declared an interest in item 3 on the plans list, in respect of application no. 05/0404/RMW3, at the site of Longmore Tubes, Hall Street, Wednesbury. Councillor Rowley declared his intention to leave the room during the discussion and to take no part in the decision.

601/05 **Deputations and Petitions**

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

602/05 **Late Items**

There were no late items introduced at this meeting.

603/05 **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.

604/05 **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.

605/05 **Item No. 1 – 04/4708/FL/E6 – 37 Fishley Lane, Bloxwich, Walsall – M & T Homes Limited**

The Planning Officer, Mr. Hickson advised the Committee of the background to the report. The Committee next welcomed the first speaker, Councillor Robinson who wished to address the Committee in opposition to the application.

Councillor Robinson said that the first concern of residents was that the time limit for the receipt of representations in respect of this application had been reduced to 14 days instead of the standard 28 and residents were of the view that they had not been given enough time in which to put their case to the Council.

He said in his view and that of residents this proposal would be an overdevelopment of the site and that it did not fit into the street scene because the majority of the properties on that street were on two levels and the proposal was for a three tiered development. He continued that residents were not totally against a development on that site, but they were unhappy with this particular proposal because it would be out of character with the area.

He went onto say that residents were also concerned about the car park which they felt would increase the anti-social behaviour already being experienced by residents in that area and that this proposal did not fit into the Council's vision.

The Committee thanked Councillor Robinson for his comments and welcomed Mr. Ron Spate who also wished to address the Committee in opposition to the Committee.

Mr. Spate said that he wished to support the comments put forward by the previous speaker and that he too felt that this development would be an over intensification of the site and that the overall height of the development would be some 4 ½ feet higher than the roadway. He said residents were also concerned about the proposed car park on the site. He said concern was also being expressed about the pressure on the sewage facilities already there and whether the current facility would cope with the additional 25 properties. He concluded that in his view, development would be detrimental to the area, by way of overdevelopment and contrary to the current street scene of semi-detached properties.

The Committee thanked Mr. Spate for his comments and proceeded to discuss the application in detail.

Councillor Beeley **moved** and it was duly **seconded** by Councillor Rose:-

That planning application 04/2708/FL/E6 be refused on the grounds that the application was out of character with the area by virtue of its height. That it was an overdevelopment of the site and that it would have an adverse impact on the amenity of the local residents by virtue of disturbance from the car park.

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

## **Resolved**

That planning application 04/2708/FL/E6 be refused on the grounds that the application was out of character with the area by virtue of its height. That it was an overdevelopment of the site and that it would have an adverse impact on the amenity of the local residents by virtue of disturbance from the car park.

606/05 **Item 2 - 05/0264/FL/H1 – Part two storey, part single storey front, side and rear extension at 32 Norman Road, Walsall – Mr. O. Nandra**

Prior to the discussion of this item Councillor Rose Martin left the meeting.

The Planning Officer, Mr. Hickson advised the Committee of the background to the report, the Committee then welcomed the first speaker who wished to address the Committee in opposition to this application.

The Committee welcomed Mr. Hickman, who advised the Committee that he was a planning advisor representing the resident at 34 Norman Road, who was of the view that the proposals were out of character with the surrounding area and would have a severe adverse impact on her property at 34 Norman Road, with the development being only 2.2 metres from her home.

Mr. Hickman said that the site was currently an open and green one although relatively uniform and that the owner of no. 32 Norman Road was planning to create a new development which would be a 105% increase in habitable floor space which would in his view be completely out of character with other properties on the Gillity Estate. He said that the Gillity Estate had a special character and it appeared that the applicant had no regard for this area. He said that the development was in conflict with UDP policy and should be refused.

The Committee thanked Mr. Hickman for his comments and welcomed Mrs Basra who wished to object to the application.

Mrs Basra said that she lived at no. 34 Norman Road and had done so for the past 20 years. She said that the proposal would adversely affect her family because it would cause overshadowing and block out the light to many of her windows. She said that this was the fifth application which had been submitted in respect of this site all of which had been refused because of the detrimental effect it would have on her home. She went on to say that the enjoyment of her garden would be spoilt as a result of this proposal. She said that the proposed extension to the front of no. 32 would also have an adverse effect on her property by virtue of blocking out the light to the front of her house. She said that this application was not significantly different to other applications which had been refused by the Committee in the past and she urged the Committee to refuse this application also.

The Committee thanked Mrs Basra for her comments and welcomed Councillor Sanders who also wished to address the Committee in opposition to the application. Councillor Sanders said that the Committee needed to put a stop to the proposed overdevelopment of the site, because this proposal would cause an extensive loss to the light of the rear garden of 34 Norman Road and that Councillor Zahid Ali had also expressed his opposition to the application and wished his comments to be raised at this meeting.

Committee thanked Councillor Sanders for his comments and proceeded to discuss the item in detail.

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

That planning application 05/0264/FL/H1 be refused on the grounds of the application being out of character with the area and detrimental to the amenity of no. 34.

The motion having been put to the vote was declared **carried** with 14 members voting in favour and none against.

### **Resolved**

That planning application 05/0264/FL/H1 be refused on the grounds of the application being out of character with the area and detrimental to the amenity of no. 34.

- 607/05. **Item No. 3 - 05/0404/RM/W3 – Demolition of industrial building and erection of 41 x 2 bedroom flats and 4 x 2 bedroom houses with associated car parking, external works and gardens at Longmore Tubes, Hall Street, Wednesbury – George Wimpey Midland Limited**

Prior to consideration of this application, Councillor Rowley left the meeting, having previously declared an interest in the item and his intention to leave the meeting.

The Planning Officer, Mr. Scrivens advised the Committee of the background to the report.

Councillor Madeley said that he was happy to see this development and felt that it would be an improvement to a site.

Councillor Madeley **moved** and it was duly **seconded** by Councillor Anson:-

That planning application 05/0404/RM/W3 be approved as reserved matters subject to the conditions set out in the report.

Councillor Rochelle said that he was concerned about the number of buildings per hectare being proposed for the site which was contrary to the recognised number.

Members enquired whether any objections had been received in respect of this application.

Committee were advised that as set out in the supplementary papers circulated at the meeting, two letters of objection had been received.

Councillor Anson said that on the whole residents were not objecting to the application and that the proposal is an improvement to an industrial building on that site.

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

### **Resolved**

That planning application 05/0404/RM/W3 be approved as reserved matters subject to the conditions set out in the report.

608/05 **Item No. 4 - 05/0084/FL/W5 – Erection of 15 no. houses and 9 no. apartments at land at Granville Street, Willenhall – Hawkcrown Limited**

Members discussed the application in detail and it was:-

**Resolved** (13 members voting in favour and none against)

That planning application 05/0084/FL/W5 be granted subject to the conditions set out in the report now submitted and a section 106 agreement.

That an additional condition be added in respect of additional lighting and surfacing of the adjacent alleyway.

609/05 **Item No. 5 - 04/2377/OL/W3 – Erection of nursing/care home and car park at land at Bentley Road North, Walsall – Stanley Developments Limited**

**Resolved** (unanimously)

That planning application 04/2377/OL/W3 be granted subject to conditions set out in the report together with an additional condition to prevent egress onto the Bentley Road North without traffic calming.

610/05 **Item No. 6 - 04/2703/FL/E5 – Proposed factory and associated office extension at Castings Plc, Lichfield Road, Brownhills – Castings Plc**

**Resolved** (15 members voting in favour and none against)

That planning application 04/2703/FL/E5 be granted subject to the conditions set out in the report now submitted.

611/05 **Item No. 7 - 05/0207/FL/E4 – Proposed new residential scheme comprising 8 houses and 18 two bed apartments at Pinfold Industrial Estate, Field Close, Walsall – Mr. N. Drury**

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

Councillor Young expressed concern about the proposal particularly in respect of the entrance which she said would be opposite to a very busy park which was frequently occupied by up to 400 children. She said that there were also primary schools in the area and that the additional vehicles to this car park could be detrimental to the safety of the children in the area.

Councillor Beeley said that he also wished to express his concern and would concur with the views put forward by Councillor Young.

Following further discussions, Councillor Rochelle **moved** and it was duly **seconded** by Councillor Collins:-

That planning application 05/0207/FL/E4 be granted subject to the conditions set out in the report now submitted together with the additional condition regarding the amended parking layout and section 106 agreement for affordable housing.

**Resolved** (7 Members voting in favour and none against)

That planning application 05/0207/FL/E4 be granted subject to the conditions set out in the report now submitted together with the additional condition regarding the amended parking layout and section 106 agreement for affordable housing.

612/05 **Item No. 8 - 03/0400/FL/E3 – Residential development comprising 4 single bedroom detached dwelling at land corner of Lazyhill Road/Kingshayes Road, Aldridge – Downes Property Limited**

**Resolved** (14 members voting in favour and none against)

That planning application 0-3/0400/FL/E3 be granted subject to the conditions set out in the report now submitted.

613/05 **Appraisal of arboretum conservation area**

The report of the Assistant Director Urban Regeneration was submitted:-

(see annexed)

The Committee were asked to submit their views in respect of the proposed adoption of the Arboretum conservation area appraisal for submission to the appropriate committee for a decision.

Members were in agreement with the proposal as set out in the report and:-

**Resolved**

To recommend the adoption of the arboretum conservation area appraisal.

614/05 **Appraisal of the Caldmore Green conservation area**

The report of the Assistant Director Urban Regeneration was submitted:-

(see annexed)

**Resolved**

To recommend to adoption of the Caldmore Green conservation area appraisal.

Councillor Ansell requested that the report be submitted to a future meeting giving details of areas in the Pleck Ward which could be conserved.

615/05 **Confirmation of tree preservation order no. 7 of 2004 at 6 New Road, Brownhills**

The report of the Assistant Director Urban Regeneration was submitted:-

(see annexed)



**Resolved**

- (1) That this Committee confirms Walsall Tree Preservation No. 7 Order in modified form;
- (2) That this Committee supports the reason for making the tree preservation order and note that one representation had been received in respect of this tree preservation order.

616/05 **Confirmation of tree preservation order no. 17 of 2004 on land at rear of 13 and 17 Portland Road, Aldridge**

The report of the Assistant Director Urban Regeneration was submitted:-

(see annexed)

**Resolved**

That this Committee confirms Walsall Tree Preservation No. 17 Order of 2004 in an unmodified form and this Committee supports the reason for making the tree preservation order as set out in paragraph 1.2 of the report now submitted.

617/05 **Confirmation of tree preservation order no. 14 of 2004 on land fronting 4 Lonsdale Road, Park H**

The report of the Assistant Director Urban Regeneration was submitted:-

(see annexed)

**Resolved**

That this Committee confirms Walsall Tree Preservation No. 14 Order of 2004 in an unmodified form and this Committee supports the reason for making the tree preservation order as set out in paragraph 1.2 of the report now submitted.

618/05 **Fastpack Solution Ltd, Queen Street, Walsall – Enforcement no. 2004/0496**

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

(see annexed)

**Resolved** (13 members in favour and 1 against)

That this Committee authorises the serving of enforcement notices in accordance with the breach of planning control at Fastpack Solutions Ltd, Queen Street, Walsall in respect of the installation of a shipping container for use as additional storage space.

The reason for taking enforcement action being that Queen Street is part of an industrial/commercial business park and clearly defined by units with generally tidy and uncluttered forecourts and access areas which contribute to the environment and quality of the business park. The installation of the container is inappropriate within the character formed within the business park and as such is detrimental to that environmental quality and is also visually dominant within the street scene at this location. It is therefore contrary to policy GP2 (a) ENV34 (a and b) and ENV37 and the adopted UDP review.

The installation of this container restricts access for deliveries/collections. This is likely to result in hazardous manoeuvres into and out of the site and deliveries being carried out on this highway to the detriment of safety and free flow of traffic on the highway. Its retention would therefore be contrary to policies T13 and T17 (b and e) in the adopted UDP review.

That the permanent removal of the shipping container from the land be sought and that the period of compliance be one month from when the notice takes effect.

That the decision as to the institution of legal proceedings in the event of non-compliance with the notice or non-return of the requisition for information be delegated to the Head of Legal Services.

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 set out above stating the nature of the breach(es) and reason(s) for taking enforcement action and the requirement(s) of the notice or the boundaries of the site.

619/05 **Residential development standards – Interim supplementary planning document**

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

(see annexed)

**Resolved**

That this Committee supports this document for adoption as an interim supplementary planning guidance document pending the production of comprehensive design guidance in a new supplementary planning document later in the year.

That Council be advised to approve the document at its meeting on 25 April 2005.

620/05 **Termination of Meeting**

There being no further business, the meeting terminated at 8.10 pm.

Signed: .....

Date: .....