

DEVELOPMENT CONTROL COMMITTEE

Tuesday 20 February 2007 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Mike Bird (Chairman)
Councillor Leslie Beeley (Vice-Chairman)
Councillor Dennis Anson
Councillor Clive Ault
Councillor Arthur Bentley
Councillor John Cook
Councillor Brian Douglas-Maul
Councillor Bill Madeley
Councillor Cath Micklewright
Councillor Jon Phillips
Councillor Melvin Pitt
Councillor Rob Robinson
Councillor John Rochelle
Councillor David Turner
Councillor Angela Underhill
Councillor Mohammad Yasin

1334/07 Apologies

Apologies for non-attendance were submitted on behalf of Councillors Mohammed Arif, Rose Burley and Zahid Ali.

1335/07 Minutes

Resolved

That the minutes of the meeting held on 30 January 2007, a copy having been previously circulated to each member of the Committee, be approved and signed by the Chairman as a correct record.

1336/07 **Declarations of Interest**

There were no declarations of interest.

1337/07 **Deputations and Petitions**

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

1338/07 **Late Items**

There were no late items.

1339/07 **Local Government (Access to Information) Act, 1985 (as amended)**

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.

1340/07 **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.

1341/07 **Item No. 2 - 06/2135/FL/E9 - Outline: Demolition of existing vacant public house and erection of 13 houses (5 detached and 8 semi detached), car parking, landscaping and associated works at Four Seasons Public House, Spring Lane, Shelfield, Walsall – Bluemark Developments Limited**

Resolved

That planning application no. 06/2135/FL/E9 be approved, subject to the conditions as contained in the report now submitted, and a planning obligation.

1342/07 **Item No. 5 – 06/1118/FL/W2 – Redevelopment of site for new residential development of 134 units and associated works, including access alterations, at land off Leamore Lane, adjacent to Wyrley and Essington Canal and Railway, Walsall – David Wilson Homes Limited and Malvern Estates**

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

The Committee then welcomed John Rouson who wished to speak in support of the application.

Mr. Rouson thanked those Officers that had been involved with the application. He stated that discussions had resulted in an attractive canal side community with a mixed layout which would provide a catalyst for other developments in the area. Mitigation measures had been prepared as the company was committed to protecting nature and species such as voles. He stated that it was possible to trap the voles, take them to a site where they could be bred and then re-introduced into the habitat re-introduced once work had been completed. He pointed out that there were no reptiles found during a survey undertaken and that, if required, they would carry out further surveys if needs be.

There then followed a period of questioning by Members in relation to the trapping of voles, where they would be located, provision of pavements and traffic implications, given the distance between two canal bridges.

The Committee proceeded to discuss the application in detail.

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

That application no. 06/1118/FL/W2 be delegated to Officers to resolve the concerns of Natural England, including achieving an amended scheme as necessary, and then to grant, subject to conditions and a planning obligation.

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

Resolved

That application no. 06/1118/FL/W2 be delegated to Officers to resolve the concerns of Natural England, including achieving an amended scheme as necessary, and then to grant, subject to conditions and a planning obligation.

1343/07 **Item No. 4 – 06/2170/FL/W3 – Erection of 24 no. residential apartments on land between 109 Calves Croft and Park Road, Willenhall – Alexander Homes UK Limited**

The Planning Officer advised the Committee that they would be required to make a decision on whether they wished the footpath on site to be extinguished or put back into use. Members considered this issue and Councillor Cook stated that he was not happy with alleyways and also felt that the proposed development was too tall given the proximity to neighbouring properties.

Councillors Underhill and Bentley agreed with Councillor Cook's view and Councillor Bentley **moved** and it was duly **seconded** by Councillor Underhill:-

That application no.06/2170/FL/W3 be refused as it would result in a loss of amenity by reason of its height and massing and impact on the surrounding area and that it was out-of-character.

The motion, having been put to the vote, was declared **lost**; with 4 Members voting in favour of refusal and 7 against.

At this point in the meeting, it was explained that no decision had been made on the application. The Chairman sought a further motion from the Committee.

Following further consideration, Councillor Pitt **moved** and it was duly **seconded** by Councillor Rochelle:-

That planning application no. 06/2170/FL/W3 be approved, subject to the conditions as contained in the report now submitted, a planning obligation and that authorisation be given to extinguish the footpath.

The motion, having been put to the vote, was declared **carried**; with 7 Members voting in favour and 3 against.

Resolved

That planning application no. 06/2170/FL/W3 be approved, subject to the conditions as contained in the report now submitted, a planning obligation and that authorisation be given to extinguish the footpath.

1344/07 **Item No. 1 – 06/2186/OL/W5 – Outline: Erection of 112 apartments and associated works at Midland Road, Walsall – Group 7 Properties Limited**

Resolved

That planning application no. 06/2186/OL/W5 be approved, subject to the conditions as set out in the report now submitted.

Councillors Underhill and Anson abstained from voting on this application.

1345/07 **Item No. 3 – 06/2193/FL/E9 – Amendments to planning approval 06/0952/FL/E9 (for 9 apartments) to provide an additional 2 apartments within the roof space and associated parking alterations at 57 Coppice Road, Walsall – Mr. Adrian Palmer**

Resolved

That planning application no. 06/2193/FL/E9 be approved, subject to the conditions as set out in the report now submitted.

1346/07 **Item No. 6 – 06/2206/FL/E12 – Extension to public bar, provide disabled wc, proposed raised decking area and internal alterations at The Royal Oak Public House, Daw End, Walsall – Enterprise Inns Plc**

Resolved

That planning application no. 06/2206/FL/E12 be approved, subject to the conditions as set out in the report now submitted.

1347/07 **Item No. 7 – 06/0465/FL/H1 – Two-storey side extension and change of use of verge to side to garden at 111 Cresswell Crescent, Bloxwich, Walsall – Mr. M. Ross**

Resolved

That planning application no. 06/0465/FL/H1 be approved, subject to the conditions as contained in the report now submitted.

1348/07 **Confirmation of Tree Preservation Order No. 45 of 2006 - Re: Land at Lodge Street and Greadier Street, Willenhall and Revocation of Tree Preservation Order No. 5 of 1973**

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

(see annexed)

Resolved

- (1) That the Committee confirms Tree Preservation Order No. 45 of 2006 in respect of trees situated on land at Lodge Street and Greadier Street, Willenhall, in a modified form;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that two representations had been received in respect of this Tree Preservation Order;

- (4) That the Committee authorises the revocation of Walsall Tree Preservation Order No. 5 of 1973.

1349/06 **Development Control Performance Update Report**

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

(see annexed)

Members were advised of the latest performance and outcomes regarding development control matters, including 3rd quarters performance figures, decisions made by the Planning Inspectorate on appeals lodged with the Secretary of State and a quarterly progress report of enforcement proceedings.

Councillors congratulated Officers in the Planning Department on the professional way in which they conducted themselves and for the assistance provided to Members.

Resolved

That the report be noted.

Termination of Meeting

There being no further business, the meeting terminated at 6.55 p.m.

Chairman:

Date: