

PLANNING COMMITTEE

Thursday 15 July, 2021 at 5.00pm

Meeting held at Walsall Town Hall, Lichfield Street, Walsall.

Present:

Councillor Bird (Chair)
Councillor Perry (Vice Chair)
Councillor Ali
Councillor Allen
Councillor Cooper
Councillor Craddock
Councillor Hicken
Councillor Murray
Councillor Nawaz
Councillor M. Nazir
Councillor Rasab
Councillor Robertson
Councillor Samra
Councillor Sarohi
Councillor M. Statham
Councillor Underhill
Councillor Waters

Officers:

Alison Ives – Head of Planning & Building Control
Michael Brereton – Group Manager – Planning
Kathryn Moreton – Head of Highways and Transportation
John Grant – Team Leader – Pollution Control
Alison Sargent – Principal Solicitor, Built and Natural Environment
Leon Carroll – Senior Planning Officer
Alfia Cox – Senior Planning Officer
Kevin Gannon – Highways Development Control and Public Rights of Way
Matt Powis – Democratic Services Officer

Welcome

At this point in the meeting, the Chair welcomed everyone and explained the rules of procedure and legal context in which the meeting was being held. He also directed members of the public viewing the meeting to the papers, which could be found on the Council's Committee Management Information system (CMIS) webpage.

Members and officers in attendance confirmed they could both see and hear the proceedings.

106/21 Apologies

Apologies for absence were submitted on behalf of Councillors Creaney and Harris.

107/21 Minutes of previous meeting held on 21 June, 2021

The Chair **moved** and it was duly **seconded** by Councillor Nawaz that the minutes of the meeting held on 21 June, 2021, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

Resolved (unanimous)

That the minutes of the meeting held on 21 June, 2021, be approved and signed as a true record.

108/21 Declarations of Interest.

Councillor Bird declared a non-pecuniary interest in Agenda Item 6 in respect of 53 Charlemont Road, Walsall, WS5 3NQ as he resides close to the property.

Councillor Perry declared a non-pecuniary interest in Agenda Item 8 in respect of Planning Enforcement Action as he had been working with local residents on the issues contained within the report.

109/21 Deputations and Petitions

There were no deputations introduced or petitions submitted.

110/21 Local Government (Access to Information) Act, 1985 (as amended)

That the public be excluded from the private session during consideration of the agenda item indicated for the reasons shown on the agenda.

111/21 53 Charlemont Road, Walsall, WS5 3NQ

At this point in the meeting, Councillor Bird (Chair) left the room for the remainder of the item and Councillor Perry (Vice-Chair) ascended to the position of Chair.

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

(see annexed)

The Group Planning Manager advised Committee of the background to the report and highlighted the salient points therein. In addition, he drew the Committee's attention to the additional information as set out within the supplementary paper.

The Group Planning Manager then drew Committee's attention to page 6 of the report. He advised Members that the following planning breaches had been identified:

- Erection of a brick wall and pillars on the front boundary
- Laying of a hard surfaced driveway and parking area
- Formation of a centralised access along the front boundary
- Alteration of ground levels on the site frontage
- Installation of air conditioning units
- Installation of side retaining walls

He informed Members that further supplementary concerns had come to light including indications from the applicant of his intention not to build a boundary wall in accordance with original plans. There were concerns that the wall was incongruous with the character of the area and reduced the amenity of the local street scene in addition to the hard surfacing driveway.

Further consultation was carried out with the Local Highway Authority, which expressed concerns regarding the height of the boundary wall and the reduction in visibility for pedestrians and cars entering and exiting the site.

In addition, there were concerns regarding potential encroachment of the shared drive and the increased land level as a result of the replacement dwelling. It was noted that the owner had not provided any drainage details for the driveway.

Members considered the report, during which a number of comments were made. These included:-

- It was noted that the proposed balcony railings had been constructed out of breezeblocks instead of metal. Therefore, it was important that officers undertook a thorough investigation into the potential breaches, agreed planning permission and making comparisons to actual work.
- A Member queried whether the Council had received a response from previous correspondence sent to the owner. In response, the Head of Planning confirmed that face-to-face discussions had occurred with the owner and engagement had been positive.
- In respect of the boundary wall, a Member sought clarification on whether the land located next to the boundary wall was highway land. In response, the Group Manager of Planning confirmed that the footpath as measured at 1.7m and he outlined the design details of the plot. However, there was no confirmation on the land ownership.
- Planning permission was originally granted by delegation on 2 June 2017 and subsequently amended on 4 June 2018.
- A Member highlighted that the location of the property was in the Paddock Ward instead of Park Hall.

- A Member sought clarification on the details of the property deeds in respect of the property boundary. In response, the Group Manager of Planning highlighted that further measurements were required at the property to compare against the property deeds.

The Councillor Craddock **moved** and it was duly **seconded** by the Vice-Chair:

Resolved that (16 votes in favour):

- 1) Further investigation be carried out on the current alterations of the property against authorised plans granted under 17/0501 (as amended by 18/0463) and supplementary paper.**
- 2) Head of Planning and Building Control be authorised to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) to require remedial actions to be undertaken.**
- 3) Head of Planning and Building Control be authorised to institute prosecution proceedings in the event of non-compliance with an enforcement notice.**
- 4) Head of Planning and Building Control be authorised to amend, add to or delete from the wording in relation to the enforcement notice.**

112/21 Application List for Permission to Develop

At this point in the meeting, Councillor Bird returned into the meeting. Councillor Perry (Vice-Chair in the Chair) gave away to Councillor Bird as Chair.

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 and the Chair. At the beginning of each item for which there were speakers, the Chair advised them on the procedure whereby each speaker would have two minutes to speak. The Chair reminded Members that should they be minded to go against officer's recommendations, planning reasons must be provided.

113/21 Plans List Item No. 1 – 21/0368 – Land South of Narrow Lane, Walsall, Former Narrow Lane Home.

The Chair informed the Committee of his intention to call a named vote on the application due to the contentious nature of proposals. He highlighted that Members of the Council had received a letter from Valerie Vaz, Member of Parliament for Walsall South. He urged the Committee to proceed with an open mind to make a decision on the matter.

Due to the request made by Valerie Vaz, MP, the Secretary of State has confirmed that any resolution by the Committee on this matter would be subject

to the Secretary of State first confirming whether he wished to Call In the application for his determination.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information and revised recommendation as set out within the supplementary paper.

The Committee then welcomed the first speaker on this item, Councillor Gultasib, who wished to speak on objection to the application.

Councillor Gultasib confirmed that the communities of Pleck were against the planning proposals for the site. She highlighted that the site was not fit for purpose due to its small size and six pitches was not sufficient to deal with any unauthorised encampments. Residents were questioning why the site was chosen. Nothing was mentioned about the issues of caravan overflow and the impact this would cause to residents. The consultation was carried out unfairly as a planning consultation and not a residential consultation as recommended by Unauthorised Encampments Working Group.

The Committee then welcomed the second speaker on this item, Councillor Hussain, who also wished to speak in objection to the application.

Councillor Hussain welcomed Councillor Gultasib comments and highlighted that the community of Pleck was not against the Gypsy, Roma, Traveller (GRT) communities. However, a suitable and appropriate site was needed for the site. Comments against the application were not discriminatory against GRT communities but were against the suitability of the site in question. Objections against the site were on planning reasons, health of the GRT communities and the local public. Over 2000 people had signed a petition against the proposals due to the health of the community, air pollution and a lack of consultation. He urged the Committee to reject proposals on the failure to consider other sites, poor air quality and air quality for children.

The Committee then welcomed the third speaker on this item, Paul Gordon, who wished to speak in support of the application.

The site was recognised by the GRT Communities as a positive site and the design was done in consultation with the GRT Communities. He confirmed that transit sites were a helpful tool when managing UEs and the site was located close to local amenities. It was clear that there is a strong community feeling in the area. Highways and transportation had carried out a comprehensive review into the surrounding area and created a management plan. The Council was required under the Equality and Human Rights Acts to provide a facility for GRT Communities and the site was ideal. The Council was committed to work with local communities to improve and strengthen cross –community relationships. On a practical level, this site would provide an excellent opportunity for the Council to fulfil its duties to the GRT Communities.

Committee Members were then invited to ask questions of the speakers.

Members queried the following:-

- A Member asked Paul Gordon whether he had dealt with any Unauthorised Encampments and the average size of an UE. In response, it was confirmed there wasn't an average size, it was ranging from 1 to 10. In the news, there was a report of an UE containing 250 caravans. However, Walsall had never experienced an UE of this size before.
- A Member asked Councillor Hussain to elaborate some of the issues. He highlighted that further sites would need to be considered. For example, Dolphin Lane. The Chair highlighted that the Committee was considering proposals for Narrow Lane only.
- Capacity at the site. If the site exceed six caravans, then the remainder of the caravans would be moved onto another site by the Police.
- Waste management and monitoring of CCTV. In response, CCTV would be available 24/7 and monitored by Transport for West Midlands. Officer responsible for the site would have basic hours with coverage over 24 hours a day.
- 3 year site permission. In response, the Chair confirmed that after 3 years, the applicant could apply for planning permission for an extension or to request that the site be made permanent with the Planning Committee's permission.
- Whether the site was originally in the SAD Document. In response, it was confirmed that whilst the site was not specifically mentioned, a site was allocated as part of Council policy. In addition, the site was originally confirmed as a housing site under planning and therefore was compatible with caravan sites.
- There would be an out of hours officer for the site on a rota basis.
- Whether the site was suitable for a populated area. In response, the Council confirmed that consideration was given to the sites location in an urban area and the site's proximity to local amenities.
- The Council's response to overcapacity issues at the site. In response, he confirmed that whilst a booking facility was available, the site would allow the Council to manage the number of caravans in an appropriate way and would direct caravans to another site. The Committee noted the UE transit site powers available to the Council and the Police.
- Regular inspections of the site. In response, Members noted that the site would be regularly inspected to ensure that facilities were in good order and weekly checks would occur.

Committee Members were then invited to ask questions of the Council Officers.

Members queried the following:-

- The level of consultation carried out for this site. In response, it was confirmed that local residents, local ward members, statutory consultees and partners were consulted on proposals. In addition, 1400 letters were hand delivered by resilient communities to ensure that all residents were consulted.

- The consultation letter was translated into 5 additional languages compatible with the area to ensure all aspects of the community were covered.
- The site's location in respect of air quality and air pollution. In response, it was confirmed that the Council modelling showed that the site did not exceed nitrogen dioxide limitations and had not been a historical problem that had warranted intervention by DEFRA.
- Members noted road traffic emissions in the locality and highlighted that the Council had no concerns about this.
- Levels of asthma in the area. Asthma levels was a matter for Public Health and air quality near the M6 Motorway was a matter which affected many parts of Walsall and not just the Pleck.
- Explanation of the Severn Trent issue. In response, it was highlighted that Severn Trent had raised no objections and only a condition regarding waste water.

Following the conclusion of questions to Officers, Members considered the application and comments were made as follows:-

- The SAD document listed sites for permanent pitches. However, the proposal was a transit site and lengths of stay on the pitches were variable.
- The Council had excellent links with the GRT Communities and the Committee recognised concerns raised by Ward Councillors.
- There were expectations that future legislation would be changed to strengthen Police powers on UEs.
- That objections had been raised over the suitability and size of the site in question. There were also concerns over the potential disruption to local residents.
- There were concerns that Severn Trent's objection had not been fully addressed and that there were no plans for surface or waste water.

In respect of the letter sent to all Members of the Council from Valerie Vaz, Member of Parliament for Walsall South. The Principal Solicitor highlighted that Members of the Committee should make a decision with an open mind. Valerie Vaz has requested the Secretary of State to 'call in' the decision made by the Council in any respect. Furthermore, the Council received a notification from the Secretary of State that any resolution of the Committee in respect of the application would be subject to the Secretary of State's intervention on the matter.

The Motion to support officers recommendations was moved by the **Vice-Chair** and duly seconded by the **Chair** and was put to the vote by way of a named vote of Committee Members as follows:

**For the motion –
12 members**

Cllr: Bird
Perry
Ali
Allen
Cooper

**Against the motion –
4 members**

Cllr: Nawaz
M. Nazir
Robertson
Sarohi

**Abstention
1 Member**

Cllr: Underhill

Craddock
Hicken
Murray
Rasab
Samra
M. Statham
Waters

Resolved by named vote (12 in favour, 4 against and 1 abstention):

- 1) That planning application number 21/0368 be delegated to the Head of Planning and Building Control to grant planning permission, subject to conditions to:-**
 - a) Re-consultation on an amended drainage scheme and refuse collection scheme to overcome consultee objections;**
 - b) No objections from the Lead Local Flood Authority and the Council's Clean and Green Team (Waste Management);**
 - c) No new material considerations being received within the consultation period;**
 - d) The amendment and finalising of planning conditions;**
 - e) Not issuing any decision until the Secretary of State confirms whether it is their intention to 'call in' the decision.**

114/21 Plans List Item No. 2 – 20/1103 – Former Police Station, Green Lane, Walsall.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein. In addition, the Presenting Officer drew the Committee's attention to the additional information as set out within the supplementary paper.

The Committee then welcomed the first speaker on this item, Jean Richmond, who wished to speak in objection to the application.

Jean Richmond stated that she did not understand why the school had not been mentioned in the site considerations. She highlighted that parking in the area was a particular concern as many of the staff were forced to park on the surrounding roads. Social workers and SEN workers were forced to park on the roads and find the current traffic problematic. The local church regularly carries out weddings and funerals, which worsens local traffic problems.

The Committee then welcomed the second speaker on this item, Ian Foden, who wished to speak in support to the application.

Ian Foden gave an overview of the site and building proposals including details on the building's position, design and height. He highlighted that due to site's prominent location as a landmark for Walsall, consideration was given to

building design, utilising quality material use and to ensure that it was an excellent landmark for Walsall.

The Committee then welcomed the third speaker on this item, Tony Corbett, who wished to speak in support to the application.

Tony Corbett confirmed that proposals would be deliverable and would enhance the gateway into Walsall. It was the policy direction and aspiration of the Council to receive a landmark building.

Committee Members were then invited to ask questions of the speakers:

Members queried the following:-

- Fire safety cladding and sprinkler capability. In response, it was confirmed that the building was compliant to the new standard of cladding regulations as set out in the Building Safety Act. The cladding was made of 100% non-combustibles materials and there would be a sprinkler system implemented on all floors above six stories.
- Privacy concerns from windows facing towards the local school playground. In response, it was confirmed that to ensure that rooms were habitable, windows were needed and some windows would be overlooking the playground.
- There was plenty of parking in the local area.
- Apartment layout and proximity of kitchen and bedroom. In response, the apartment designs were compliant with the legislation and the necessary fire precautions were put in place. It was noted that the apartment designs were not uncommon for modern standards.

Committee Members were then invited to ask questions of the speakers:

Members queried the following:-

- Building shadowing. In response, it was confirmed that the Police station was taller in the centre part of the building. However, the proposal outlined that confirmed that the tallest part of the building would be located on the corner of the plot nearest to the junction. There was no scale on the amount of light required in accordance with planning legislation.
Parking arrangements. In response, it was confirmed that there were 68 parking spaces for residents, which was equated to a 52% provision. There would be spaces for elderly residents, 6 electric charging points and 6 disabled spaces.
- Air quality surrounding the site near a busy junction. In response, officers confirmed that pollutant sensitivity testing was carried out on the area concerned. However, there was no breach in the area in accordance with Government criteria.
- Traffic congestion in the area. In response, traffic problems exist throughout the country but the area is not within a low emission zone and therefore was not in conflict with Government criteria. It was expected that due to the uptake of electric vehicles that pollutants would decrease.

A discussion was held on Section 106 funding for the application, which totalled £120,000. Councillor Ali as the local Ward Member requested that 75% of the contributions be ring fenced for urban open spaces and 25% for affordable housing.

Following consideration of the application, Councillor Craddock **moved** and it was duly **seconded** by Councillor Nawaz and the motion was put to the vote.

Resolved (15 votes in favour and 1 against):

- 1 That planning application number 20/1103 be delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and to secure Section 106 funding agreed at £120,000 and secure an Urban Open Space contribution (75%) and Affordable Housing (25%) and subject to:**
 - a) No new material considerations being received within the consultation period;**
 - b) The amendment and finalising of conditions;**
 - c) No further comments from a statutory consultee raising material planning considerations not previously addressed;**
 - d) Overcoming the outstanding concerns raised by Waste Management;**
 - e) Concluding Lambert Smith Hampton's Advice on Financial Viability Appraisal**
- 2) Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Listed Building Consent subject to conditions.**

Meeting was adjourned at 7.22p.m
Meeting was reconvened at 7.32p.m

115/21 Plans List Item No. 3 – 21/0272 and 21/0273 – 3 Bradford Place, Walsall, WS1 1PL.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the only speaker on this item, John Mason who wished to speak in support to the application.

John Mason informed the Committee that a considerable amount of time and resources had been spent planning the project. However, due to the pandemic, there had been delays. He explained that the building had struggled to survive as a commercial venture and nothing had changed in the plans since the original application. Safeguards had been put in place to secure some of the original features for the conversion. Members had previously supported the scheme in 2018 and requested Members to support the scheme again.

The Chair confirmed that the application was a resubmission and nothing had changed since the original application in 2018.

There were no questions to officers or to John Mason.

Following consideration of the application, the Chair **moved** and it was duly **seconded** by Councillor Nazir and the motion was put to the vote.

Resolved (unanimously):

- 1) That planning application number 21/0272 be delegated to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and to secure S106 to secure an Urban Open Space contribution and subject to:**
 - a) The provision of a Flood Risk Assessment**
 - b) The amendment and finalising of conditions**
 - c) No further comments from a statutory consultee raising material planning considerations**
- 2) That the Head of Planning & Building Control be authorised to Grant Listed Building Consent 21/0273 subject to conditions.**

116/21 Plans List Item No. 4 – 20/0374 – Land and Garages, Rudge Close, Willenhall.

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

(see annexed)

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the only speaker on this item, Ian Homer who wished to speak in objection to the application.

Ian Homer informed the Committee that he was speaking on behalf of local residents in objection to the application. There were concerns from residents over the height of the three storey building, which would cause privacy issues as the apartments would be overlooking surrounding gardens. He highlighted that if the apartments were reduced to two storeys then this would be acceptable to residents. He expressed concerns over the felling of the trees located on the land, which could potentially expose the gardens of local residents. He urged the Committee to refuse the application in it's current form.

Committee Members were then invited to ask questions of the speakers and of Council Officers.

Members queried the following:-

- Three storey flats in the surrounding area. In response, it was confirmed that there were no three-storey flats in the immediate vicinity. The nearest three storey flats were located in Stroud Avenue.
- Overshadowing in the area. In response, officers confirmed that no shading study had been carried out in respect of the application. However, it was

confirmed that there was a 35m gap between the development and nearest properties in the area, which exceeds the recommended guidelines.

Following the conclusion of questions to Officers and speakers, Members considered the application during which a number of comments were made:

- There were concerns that three storeys would be excessive for the area, considering other buildings in the area.
- The land attracts anti-social behaviour and should be developed.

Councillor Underhill **moved** and it was duly **seconded** by Hicken:-

That, the application be refused as the proposals for the construction of three storey flats in the area would be unsightly and not in keeping with the area.

The Motion was put to the vote and was subsequently declared **lost**, with 5 Members voting in favour and 9 against.

Councillor Perry **moved** the recommendations as set out in the officers' report and it was duly **seconded** by Bird:-

Resolved (9 in favour and 6 against):

- 1) That planning application number 20/0374 to delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to S106 agreement for the provision of urban open space contribution and subject to:**
 - a) No new material considerations being received within the consultation period;**
 - b) The amendment and finalising of conditions;**
 - c) No further comments from a statutory consultee raising material planning considerations not previously addressed**

117/21 Plans List Item No. 5 – 20/1070 – 407, Chester Road, Aldridge, Walsall, WS9 0PH.

At this juncture, the Chair moved that Standing Orders be suspended to enable the meeting to continue over 3 hours. This was duly seconded and approved by the Committee.

At this point, Councillor Underhill left the meeting.

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the first speaker on this item, Michael Kalam, who wished to speak in support to the application.

Michael Kalam informed the Committee that the application was valid from October 2020. He explained that the current site was blighted by outbuildings and a swimming pool, he stressed that proposals would allow for the buildings to be compacted in the area and reduce the impact on woodland. The Council

was considering developments in the north, east and south of the proposals. Tree officers and ecologists had not objected to the application and the application met local and national policies.

The Committee then welcomed the second speaker on this item, James Brookes who wished to speak in support to the application.

James Brookes confirmed that there had been a history of tandem housing in the area creating spacious homes for families. He highlighted some examples of similar building developments in the area. The building would reflect art and crafts design and the nearby designs. The adjoining land was being considered for development in accordance with Black Country development plan.

Committee Members were then invited to ask questions of the speakers.

Members queried the following:-

- Woodland area in the south not considered with proposals. In response, it was confirmed that the surrounding trees were focused on from the outset of the application. The agent had worked with the Council's tree specialist and confirmed that no housing would be built near the trees and there would be no removal of surrounding trees.
- Surrounding houses including 409. In response, the agent accepted that the surrounding housing around Chester Road were built more than 50 years ago.
- The agent stressed that a simple arithmetic calculation of the density of the site was unsatisfactory and that the Committee needed to look at the site in context. The site was blighted by outbuildings, a disused swimming pool and majority of the site was covered in tarmac.
- Objections from locals on the proposals. It was confirmed that 409 had raised an objection due to it's proximity to the site.
- Discussions taken place over highway safety. In response, it was confirmed that detailed discussions had taken place with case officers over site access. The application had reduced site access from 2 to 1. Highways had not objected to the application.
- There was no pedestrian crossing on Chester Road.
- Design feature on arts and craft significances. In response, the site was located very close to Streetly and part of that area fell under special townscape area. Due to this, it was felt that designing properties similar to the housing in the area would be attractive for the site.
- Proximity of the site to greenbelt and hardstanding coverage. In response, the existing site plan was shown to the Committee and it was the view of the agent that proposals were not substantially greater than the existing development.
- Privacy and noise levels. In response, noise levels due to traffic movement were negligible and privacy concerns were not a concern as the garden centre was over 20m away from the plot.
- There were no concerns from previous developments in the area and the public footpath runs left of the proposed site to Aldridge.

Committee Members were then invited to ask questions of the Council Officers. Members queried the following:-

- The Chair confirmed that no decision had been made on the sites outlined within the Black Country plan.
- Greenbelt land. In response, it was confirmed that the land opposite the site was green belt land.
- Woodland. In response, it was confirmed that there were no objections to relating to the local woodlands and discussions had taken place with tree officers.

Following the conclusion of questions to Officers and speakers, Members considered the application during which a number of comments were made:

- It was confirmed that the proposals were a good use of the land and worth special circumstances. The screens proposed would not cause privacy issues and the space would be adequate for ensure minimal impact to the green belt.
- There was a view that proposals were not a good use of land development.
- Three properties on the site would be excessive and the site could accommodate two properties subject to building design.

Councillor Nawaz **moved** and it was duly **seconded** by Rasab:-

To grant the application due to special circumstances met, the land opposite had set a precedent in the area. The proposed site was being considered by the Black Country review for development, the scale of the buildings would not be out of character for the area. Subject to standard conditions.

Resolved (10 in favour, 4 against and Councillor Waters abstained):

- 1) **That application number 20/1070 be granted subject to conditions contrary to the officer recommendation for the following reasons:**
 - a) **The land opposite the site in the Green Belt has set a precedent, land to the south of the site not in the green belt is also developed and is very close to the site boundary and conditions can be added to deal with detrimental issues.**
 - b) **The site is close to surrounding land being considered through the Black Country Plan review but not yet been determined and there is screening of the development so it is not considered visually intrusive and will not alter the character of the site due to development opposite and to the south.**
 - c) **Subject to imposition of conditions in respect of working hours and approval of materials, to remove all Permitted Development and to include pollution conditions in respect of acoustic glazing for properties fronting Chester Rd and contamination conditions and to submit a landscaping plan**

118/21 **Plans List Item No. 6 – 20/1634 – 400 West Bromwich Road, Walsall, WS5 4NS.**

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the first speaker on this item, Councillor Bashir who wished to speak in support to the application.

Councillor Bashir informed the Committee that the proposed development had no impact on the street scene contrary to officers' statements. The development would not interfere with the neighbours and there was sufficient space. There was a need for the extension as the family were registered as foster parents. There was sufficient parking in the area and the local tree were quite a distance away. She requested that the Committee support the application.

The Committee then welcomed the first speaker on this item, Paul Clifton who wished to speak in support to the application.

Paul Clifton informed the Committee that the requirement was for additional accommodation as the family work with foster children. There had been no objections from neighbours. Gardens were noted as spacious and there was sufficient spacing between properties. 19 Bell Lane was noted as having a similar extension.

Committee Members were then invited to ask questions of the speakers.

Members queried the following:-

- 19 Bell Lane property. In response, the corner property was located less than 400 yards and similar to the proposal with identical building footprints.
- Fostering. In response, the family had two children currently. However, the Council's Children Services had confirmed that the family could accommodate more children to help the Borough.
- Head of Planning reiterated that personal circumstances were not a material consideration within planning law.
- Consultation for refusal. In response, it was confirmed that the agent put forward a revised scheme to the owners. However, the owners were not happy with revised proposals.

Committee Members were then invited to ask questions of the Council Officers. Members queried the following:-

- Distance between development and flats. In response, it was confirmed that there was access between the flats and the development. It was measured at 12.8m between plots.
- There were no objections to the application and there was sufficient distances between properties.
- The development would have no impacts on traffic flow.

Councillor Nazir **moved** and it was duly **seconded** by Nawaz:-

To grant the application due to scale of development being suitable for the size of plot. There were no detrimental points with impact traffic flow and a lack of objections to the development. The application was not out of character for the area and best use of land. Subject to standard conditions.

Resolved (unanimous):

- 1) That application number 20/1634 be granted planning permission subject to conditions contrary to the officer recommendation for the following reasons:**
 - a) The scale of development is suitable considering the size of the plot and has no significant impact on the adjacent flats as there was enough space within the plots and between the development and the flats; there is no impact on highway safety, congestion or traffic flow.**
 - b) A lack of any objections to the proposals by neighbours and other consultees; and amounts to the best use of land in this particular location**
 - c) The application is not out of character in area due to similar extensions in the locality.**
 - d) Conditions to include materials to be agreed, hours of construction 8-5pm with no weekend working, highways conditions for revised plans relating to parking and access, pollution control conditions relating to Construction Management Plan, acoustic glazing, insulation, flues, ventilation and solid fuel burners; Severn Trent Water drainage condition and fire service informative.**

119/21 Plans List Item No. 9 – 21/0175 – 344 Skip Lane, Walsall, WS5 3RA.

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the only speaker on this item, Paul Clifton who wished to speak in support to the application.

Paul Clifton informed the Committee that the isolated section of Skip Lane had 24 properties some detached and some semi –detached. Only 3 houses on the road were classed as semi-detached. The setback was 6 inches and was not required as it would cause construction issues and other houses in the area had the similar design extensions. He believed that there was no terracing issue in the area.

Committee Members were then invited to ask questions of the speakers. Members queried the following:-

- Setback construction problems. In response, the change would be so negligible that it would have no impact on the proposal. In respect of the gable feature, the client would agree to have a condition placed. However, the Committee was advised that it could not consider any alternative schemes at the meeting.

Committee Members were then invited to ask questions of the Council Officers. Members queried the following:-

- 13 Skip Lane. In response, there was no setback at number 13 Skip Lane.

Following the conclusion of questions to Officers and speakers, Members considered the application during which a number of comments were made:

- There was sympathy with the client regarding the changes and setback. The changes were insignificant when considering other properties in the area.

Councillor Craddock **moved** and it was duly **seconded** by Samra:-

Approved contrary to officers conditions as it is believed that setting back the roof by 12 inches would have no impact on the street scene and introduces a valley roof that would increase maintenance and would create construction difficulties. It would not be out of character in the area.

Resolved (unanimous):

- 1) **That application number 21/0175 be granted planning permission subject to conditions contrary to the officer recommendation for the following reasons:**
 - a) **By setting back the roof by 12 inches (300mm) would have no impact in street scene and introduces a valley roof that would increase maintenance**
 - b) **The proposals would not be out of character in the street scene.**
 - c) **Conditions to include materials to be agreed and hours of work to be restricted to 8-5 weekdays and 8-1 Saturdays.**

120/21 Plans List Item No. 11 – 21/0246 – 185 Sutton Road, Walsall, WS5 3AW

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the only speaker on this item, Paul Clifton who wished to speak in support to the application.

Paul Clifton informed the Committee that it was frustrating that some properties had already extended and yet some properties face criticism from adverse terracing effects. There was proposals for a reduction in the terracing effect by reducing the roof levels, however, this was refused by the owner. It was noted 17 properties had two storey side extensions in the area.

Committee Members were then invited to ask questions of the speaker.

Members queried the following:-

- Setback property similar to 183 Sutton Road. In response, it was an offer made to a Council officer at the time. However, the offer was not given to the client as it was refused by the Council.
- 45 degree angle. In response, 45 degree line were shown on the plan.

Committee Members were then invited to ask questions of the Council Officers.

Members queried the following:-

- In reference to similar properties in the area, there was some sympathy with comments raised by the speaker.
- There were no comments on previous approved applications.
- It was noted that prior approval was not required for a 4.5m deep single rear storey extension in 2016 referenced in the application.

The Head of Planning highlighted that the Council was examining options for a new supplementary planning design document, which could address some of the issues regarding building consistency in some areas of the Borough.

Councillor Craddock **moved** and it was duly **seconded** by Perry to refuse the application.

Councillor Samra requested that a deferral would allow the agent and the applicant to liaise with planning officers. Councillor Craddock and Councillor Perry withdrew their support for motion to refuse the application.

The Chair **moved** and it was duly **seconded** by Hicken to defer the application for once cycle to enable the applicant and agent to negotiate with officers to consider a compromise for a suitable design acceptable to planning officers.

Resolved (unanimous):

That, application number 21/0246 be deferred for once cycle to enable the applicant and agent to negotiate with officers to consider a compromise for a suitable design acceptable to planning officers.

121/21 **Plans List Item No. 10 – 21/0119 – 18 Harborough Drive, Aldridge, Walsall, WS9 0ET.**

At this point, Councillors Perry, Sarohi and Nawaz left the meeting.

The Presenting Officer advised Committee of the background to the report and highlighted the salient points therein.

The Committee then welcomed the first speaker on this item, Mark Fellows who wished to speak in objection to the application.

Mark Fellows informed the Committee that he resided at 20 Harborough Drive and was speaking in objection to the application on the basis of the enormity of the application. Whilst he was sympathetic to their neighbours desire to improve their property, he felt that it would be in detriment to it's neighbours. All the neighbours would be disadvantaged. He highlighted that looking at previous history no properties with 3m extensions had been approved. There was a discrepancy with the document, there was a 1.9m which was correct. There was concerns about the installation of a bathroom window, located close to the neighbours windows. There was also an issue of sunlight.

Councillor Sarohi re-joined the meeting and was ineligible to vote on this item.

The Committee then welcomed the second speaker on this item, Thomas Roberts who wished to speak in support to the application.

Thomas Roberts confirmed that the plans did not outline a drastic redesign and were only enhancing to the house to accommodate a young growing family. Both properties either side had extended their kitchens and they were looking to do the same. In terms of wildlife, he was looking to enhance the garden with new bushes and flowers to attract wildlife. Plans were within the 45 degree rule and there were bushes either side of the property which reduced privacy issues.

Committee Members were then invited to ask questions of the speaker.

Members queried the following:-

- Neighbour objections and disadvantaged by extensions. In response, it was confirmed that a 2 storey extension would restrict sunlight and the other neighbours would affect morning sunshine. A property at the rear raised concerns over the noise, disruption and privacy.

There were no questions to officers.

Councillor Craddock **moved** and it was duly **seconded** by Samra to approve the application.

Resolved (11 in favour and 1 against):

That, application number 21/0119 be delegated to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to the amendment and finalising of conditions.

122/21 Plans List Item No. 7 – 18/0313 – 144 Whetstone Lane, Aldridge, Walsall, WS9 0EZ.

Councillor Murray **moved** and it was duly **seconded** by Allen to refuse the application.

Resolved (unanimous):

That application number 18/0313 be refused in accordance with officer recommendations.

123/21 Plans List Item No. 8 – 21/0505 – Community Centre, Alexandra Way, Aldridge, Walsall, WS9 8PD.

The Chair **moved** and it was duly **seconded** by Allen to grant planning permission subject to conditions.

Resolved(unanimous):

That, application number 21/0505 be Granted Planning Permission Subject to Conditions.

124/21 Planning Enforcement Action

The Presenting Officer advised Committee of the background to the report and the reasons for enforcement.

The Committee then proceeded to discuss the report in detail and the Committee approved the recommendations contained therein.

**Resolved (unanimously):
That the recommendations be approved.**

**(Exempt information under Paragraph 3 of Part 1 of Schedule 12(A) of the
Local Government Act 1972 (as amended)).**

125/21 Termination of meeting

There being no further business, the meeting terminated at 10.16 pm

Chair

Date