

PLANNING COMMITTEE

Thursday, 4th April, 2013 at 5.30 p.m.

In the Council Chamber at the Council House, Walsall

Present

Councillor Perry (Chairman)
Councillor Bird (Vice-Chairman)
Councillor R. Andrew
Councillor Azam
Councillor P. Bott
Councillor Cook
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Harris
Councillor Rochelle
Councillor Sarohi
Councillor I. Shires
Councillor Thomas
Councillor Underhill
Councillor Wade
Councillor Westley

3336/13

Apologies

Apologies for non-attendance were submitted on behalf of Councillors Creaney and Jeavons.

3337/13

Minutes

Resolved

That the minutes of the meeting held on 7th March, 2013, a copy having previously been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

3338/13

Declarations of Interest

Councillor Bird declared a non-pecuniary interest in Item No. 8 on the plans list, application no. 13/0292/FL in relation to the demolition of existing commercial buildings, erection of 8 dwellings and garages and associated infrastructure, and removal of bund and hardstanding at Mill Green Farm, Chester Road, Aldridge, WS9 0LR.

3339/13 **Deputations and Petitions**

There were no deputations introduced or petitions submitted.

3340/13 **Local Government (Access to Information) Act, 1985 (as amended)**

Resolved

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

3341/13 **Withdrawn Items**

The Chairman informed the meeting that the following item had been withdrawn from the application list for permission to develop:-

Item No. 5 - 12/1598/FL - proposed erection of 14 no. 3 bedroom houses and associated works at former Barley Mow Public House, Goscote Lane, Walsall.

3342/13 **4 Well Lane, Blakenall, Walsall**

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

(see annexed)

The Development Management Manager advised Members that the report had been presented as a late item to provide urgent information in relation to an enforcement investigation. He reported that a Planning Contravention Notice had been served on the address to receive further information from the occupiers and that an update report would be available at the next meeting.

Resolved

That Committee noted the information.

3343/13 **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 first to deal with the items on the agenda where members of the public had previously indicated that they wished to address the Committee. The Chair, at the beginning of each item for which there were speakers, advised of the procedure whereby the speaker would have three minutes to speak and then at two minutes they would be reminded they had one minute left.

3344/13

Item No. 9 - 12/1036/FL - erection of four 3 bed semi-detached houses at the rear of 10 Ravenscroft Road with access off Chatsworth Close at land to the rear of 10-12 Ravenscroft Road, Willenhall, WV12 4LY

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mrs. Pritchard, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Councillor Coughlan, who also spoke in objection to the application.

The Committee then welcomed the third speaker on this application, Mrs. Reeves, who spoke in support of the application.

There then followed a period of questioning by Members to the speakers and officers in relation to parking issues and TPOs.

The Committee proceeded to discuss the application further, which included how the proposed houses would fit in line with existing properties and would have two parking spaces per property; that there was a long history of flooding in the area due to inadequate drainage and that additional motor vehicles would have a detrimental effect on traffic movement and existing on-street parking problems.

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

That planning application no. 12/1036/FL be granted,
subject to conditions as contained within the report and
supplementary paper now submitted.

The Motion having been put to the vote was declared **lost**, with four Members voting in favour of the motion and eight Members voting against.

In view of the motion failing, the Chair sought the Committee's intention on how to proceed with this application. Members again considered the application and Councillor Shires **moved**:-

That planning application no. 12/1036/FL be refused on the grounds that the application would be an over development of the site and would have a detrimental effect on the amenity of local residents and traffic movement around the area by virtue of additional vehicles.

The Motion having been put to the vote was declared **carried**, with eight Members voting in favour of refusal and four Members voting against.

Resolved

That planning application no. 12/1036/FL be refused on the grounds that the application would be an over development of the site and would have a detrimental effect on the amenity of local residents and traffic movement around the area by virtue of additional vehicles.

Councillor R. Andrew arrived at this juncture of the meeting.

3345/13

Item No. 15 - 12/1582/FL - retrospective - single storey side extensions to 18 and 20 to provide access to both properties at 18 and 20 Athlone Road, Walsall, WS5 3QX

The Planning Officer advised the Committee of the background to the report now submitted:-

(see annexed)

The Committee then welcomed the first speaker on this application, Councillor Martin, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Mr. Aqbal, who spoke in support of the application.

The Committee then welcomed the third speaker on this application, Mr. Sehdeva, who also spoke in support of the application.

There then followed a period of questioning by Members to the speakers, including the nature of the applicant's disability; how long the applicant had lived at the address and whether he had owned the home when the previous planning application had been refused and why a linkway between the two houses was necessary.

In response, the speaker reported that the applicant suffered with a heart condition and diabetes and was unable to walk far and a linkway between the two houses would allow him to move between houses without going outside for both health and security purposes; and the previous application that had been refused had been for a two storey extension.

There then followed a period of questioning by Members to the officers, including what would be the significant impact on the street scene; where were the two linking doors and what materials the construction would be made of.

In response, officers reported that the character of the area was detached houses and the joining of two houses would be out of character and of poor design and would create a terracing effect; the construction materials would be brick with a felted flat roof creating a corridor or tunnel between the two houses.

The Committee proceeded to discuss the application further which included how the principle of joining two properties together was incorrect and that the application was a bad design and could be a potential fire hazard.

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

That planning application no. 12/1582/FL be refused in accordance with the recommendations within the report and that fire officers are contacted to establish the safety of the current linkway between the two houses.

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

Resolved

That planning application no. 12/1582/FL be refused in accordance with the recommendations within the report and that fire officers are contacted to establish the safety of the current linkway between the two houses.

3346/13

Item No. 16 - 12/1365/FL - roof extension and first floor rear extension at 20 Athlone Road, Walsall, WS5 3QX

The Planning Officer advised the Committee of the background to the report and supplementary paper now submitted:-

(see annexed)

The Committee then welcomed the first speaker on this application, Councillor Martin, who spoke in objection to the application.

The Committee then welcomed the second speaker on this application, Mr. Aqbal, who spoke in support of the application.

The Committee then welcomed the third speaker on this application, Mr. Sehdeva, who also spoke in support of the application.

There were no questions to the speakers or to the officers.

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

That planning application no. 12/1365/FL be refused for the reasons contained in the application list for permission to develop now submitted.

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

Resolved

That planning application no. 12/1365/FL be refused for the reasons contained in the application list for permission to develop now submitted.

3347/13

Item No. 17 - 12/1106/FL - two storey rear and side house extension with first floor alteration at the front of 18 Athlone Road at 18 Athlone Road, Walsall, WS5 3QX

The Planning Officer advised the Committee of the background to the report now submitted:-

(see annexed)

The Committee acknowledged that Mr. Aqbal and Mr. Sehdeva were in attendance to answer any questions Members may have.

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

That planning application no. 12/1106/FL be granted, subject to conditions as contained within the application list for permission to develop now submitted.

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

Resolved

That planning application no. 12/1106/FL be granted, subject to conditions as contained within the application list for permission to develop now submitted.

3348/13

Item No. 1 - 13/0061/FL - proposed new leisure centre at Bloxwich Leisure Centre, High Street, Bloxwich, WS3 2DA

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

(see annexed)

The Committee welcomed Mr. Percival who was in attendance in support of the application.

There then followed a period of questioning by Members to the speaker which included whether the land would be used "like for like" and whether the proposed new Leisure Centre would be run by Walsall Council.

In response, the speaker reported that a playing pitch assessment had determined that there would be adequate provision for a re-orientation of the pitches and that the new Leisure Centre would be operated on behalf of Walsall Council.

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

That planning application no. 13/0061/FL be granted, subject to conditions as contained within the application list for permission to develop now submitted.

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

Resolved

That planning application no. 13/0061/FL be granted, subject to conditions as contained within the application list for permission to develop now submitted.

3349/13

Item No. 2 - 13/0175/FL - proposed industrial building (Use Class B2) with ancillary warehousing (Use Class B8) and offices (Use Class B1a) with associated access from Bull Lane, car parking, service area and landscaping at Former W. Wesson & Co. Ltd., Bull Lane, Moxley, WS10 8RS

The Planning Officer advised the Committee of the background to the report and drew Members' attention to the additional information contained within the supplementary paper.

(see annexed)

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

That planning application no. 13/0175/FL be granted, subject to conditions as contained within the application list for permission to develop and the supplementary paper now submitted.

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

Resolved

That planning application no. 13/0175/FL be granted, subject to conditions as contained within the application list for permission to develop and the supplementary paper now submitted.

- 3350/13 **Item No. 3 - 13/0074/FL - proposed substitution of house types to plots 4, 5, 16, 17, 20-23b, 43, 47, 48, 49 and 50 with repositioning of garage to plot 2 and revised materials finish to plots 23a and 23b. (Minor material amendment to planning permission 07/2661/RM/W7 and 08/1637/FL for 232 houses and flats) at Satchwell Grange, Woden Road West, Wednesbury, Walsall, WS10 7TB**

Resolved

That planning application no. 13/0074/FL be granted, subject to conditions as contained within the application list for permission to develop and the supplementary paper now submitted.

- 3351/13 **Item No. 4 - 13/0137/FL - Amendments to planning permissions 10/0763/FL and 11/1364/FL relating to erection of 251 dwellings amending details of phasing and location of affordable housing at former site of Walsall Depot, Norfolk Place, Walsall**

Resolved

That planning application no. 13/0137/FL be granted, subject to conditions and no new information raising new material issues as contained within the application list for permission to develop and the supplementary paper now submitted.

- 3352/13 **Item No. 5 - 12/1598/FL - proposed erection of 14 no. 3 bedroom houses and associated works at former Barley Mow Public House, Goscote Lane, Walsall**

This application had been withdrawn earlier in the meeting.

- 3353/13 **Item No. 6 - 13/0008/FL and 13/0090/FL - 13/0008/FL - repositioning of plots 1-4 and internal amendments to increase the bedrooms from two to three. 13/0090/FL - amendment to plots 5-10 of permission 11/0105/FL to increase by one dwelling now plots 5-11 comprising 5 x 2 bed houses and 2 x 4 bed houses at land behind Bentley Moor Club, Bentley Drive, Walsall, WS2 8RY**

Resolved

That planning application no. 13/0008/FL and 13/0090/FL be granted, subject to conditions and a Deed of Variation as contained within the application list for permission to develop now submitted.

- 3354/13 **Item No. 7 - 13/0297/FL - change of use from doctors'/nurses' accommodation (Use Class C3) to a residential unit to provide supported living for adult males (Use Class C2) at Wilbraham Court, Wilbraham Road, Walsall, WS2 9PT**

Resolved

That planning application no. 13/0297/FL be granted, subject to conditions and subject to no new information raising new material issues as contained within the application list for permission to develop now submitted.

- 3355/13 **Item No. 8 - 13/0292/FL - Demolition of existing commercial buildings, erection of 8 dwellings and garages and associated infrastructure, and removal of bund and hardstanding at Mill Green Farm, Chester Road, Aldridge, WS9 0LR**

Councillor Bird, having previously declared an interest in this item, left the room and did not vote on this application.

Resolved

That planning application no. 13/0292/FL be granted, subject to conditions and subject to no further representations raising material issues as contained within the application list for permission to develop and supplementary paper now submitted.

- 3356/13 **Item No. 10 - 12/0869/FL - erection of three storey detached dwelling at land adjacent 38 Eastbourne Street, Walsall, WS4 2BN**

Resolved

That planning application no. 12/0869/FL be granted, subject to conditions as contained within the application list for permission to develop now submitted.

- 3357/13 **Item No. 11 - 13/0004/FL - change of use of land to provide new access and parking/drop off for new day nursery at the former Delves Clinic, 191a Broadway at land adjacent 279 West Bromwich Road, Walsall, WS1 3HD**

Resolved

That planning application no. 13/0004/FL be granted, subject to conditions as contained within the application list for permission to develop and supplementary paper now submitted.

3358/13 **Item No. 12 - 13/0173/TE - time extension on 10/0102/FL: new dwelling at 35 Princes Avenue, Walsall, WS1 2DG**

Resolved

That planning application no. 13/0173/TE be granted, subject to conditions as contained within the application list for permission to develop now submitted.

3359/13 **Item No. 13 - 12/1040/OL - outline application for two detached dwellings and associated car parking, access, layout and scale for consideration at Builder's Merchant Yard, Green Lane, Aldridge, WS9 0LN**

Resolved

That planning application no. 12/1040/OL be granted, subject to conditions and subject to no new information raising new material issues as contained within the application list for permission to develop now submitted.

3360/13 **Item No. 14 - 13/0235/FL - resubmission following refusal of 12/1334/FL for conversion of detached house into a house in multiple occupation with 10 en-suite bedrooms including a two storey extension and loft conversion at 87 Broadway, Walsall, WS1 3EZ**

Resolved

That planning application no. 13/0235/FL be granted, subject to conditions as contained within the application list for permission to develop and supplementary paper now submitted.

3361/13 **Private Session**

Exclusion of Public

Resolved

That, during consideration of the following item on the agenda, the Committee considers that the item for consideration is exempt information by virtue of the appropriate Paragraphs of Part 1 of Schedule 12A of the Local Government Act, 1972 (as amended) and accordingly resolves to consider that item in private session.

Summary of item discussed in Private Session

3362/13

Site of the former Windmill Public House, Aston Road, Willenhall

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

(see annexed)

The Planning Officer advised the Committee of the background to the report and the reasons for its urgency.

The Committee considered the report and approved the recommendations contained therein.

(Exempt information under Paragraphs 6 and 7 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)

Termination of meeting

There being no further business the meeting terminated at 7.15 p.m.

Signed:

Date: