

PLANNING COMMITTEE

Thursday 6 October, 2016 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Nazir (Chairman)
Councillor Worrall (Vice Chair)
Councillor Barker
Councillor P. Bott
Councillor Chambers
Councillor Craddock
Councillor Douglas-Maul
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Sarohi
Councillor Shires
Councillor Young

1576/16 Apologies:

Apologies for non-attendance were submitted on behalf of Councillors Bird, Creaney and S. Fitzpatrick and Sohal

1577/16 Minutes

Resolved

That the minutes of the meeting held on 4 August, 2016, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record subject to the following amendment:- paragraph 1561/16 - Hawthorns, Erdington Road, recommendation should have read:-

That the report be noted and a final update on the completion of the S.106 to be provided at the 1st December meeting prior to signing

1578/16 Declarations of Interest

There were no declarations of interest.

1579/16 Deputations and Petitions

There were no deputations introduced or petitions submitted

1580/16 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items to be considered in private session

1581/16 **Application to Crown Reduce Two Maple Trees by 10.0m at 8 Fennel Grove, Streetly, Sutton Coldfield, B74 3QY**

The report of the Head of Planning, Engineering and Transportation was submitted.

(see annexed)

The Members considered the report and Councillor Worrall **moved** and it was duly **seconded** by Councillor Chambers:-

To refuse consent to crown reduce the two Maple trees T3 and T4 by 10.0m but give consent for the removal of the lowest branch on the south side back to the main stem of Maple T3 that extends towards the applicant's house roof and overhead BT line and to remove any remaining secondary lateral braches back to suitable pruning points to give approximately 2.0m clearance from the room. In addition, to reduce any lateral branches from Maple T4 back to suitable pruning points that are encroaching towards the applicant's house roof to give approximately 3.0m clearance

The Motion having been put to the vote was declared **carried**, with all Members voting in favour.

Resolved

To refuse consent to crown reduce the two Maple trees T3 and T4 by 10.0m but give consent for the removal of the lowest branch on the south side back to the main stem of Maple T3 that extends towards the applicant's house roof and overhead BT line and to remove any remaining secondary lateral braches back to suitable pruning points to give approximately 2.0m clearance from the room. In addition, to reduce any lateral branches from Maple T4 back to suitable pruning points that are encroaching towards the applicant's house roof to give approximately 3.0m clearance

1582/16 **Application List for Permission to Develop**

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 were 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 after two minutes they would be advised they had one minute left.

The Chair advised Committee that the following plans list items had been deferred:-

- a) Plans list item number 9 – application number 15/1266 – change of use from hotel (Use Class C1) to 32 bedrooms for more than 6 unrelated people living in a property sharing basic facilities (sui generis use) including associated works to car park and landscaping at former Abberley Hotel, 27-31 Bescot Road, Walsall, WS2 9AD – deferred until a future meeting at applicant's request;
- b) Plans list item number 12 – application number 16/1145 – change of use to Mecca electronic bingo centre with ancillary food and drink operation; alternations to entrance doors and erection of air conditioning compressors at 9-11 Park Street, Walsall, WS1 1LY – deferred at the Chairman's discretion until the next meeting to allow further consideration of the case
- c) Plans list item number 13 – application number 16/1057 – retrospective: Retention of detached house included omission of previous approved integral garage at rear 454 Sutton Road, Walsall, WS5 3AZ – deferred until a future meeting to allow re-consultation once applicant has provided amended drawing.

The Group Manager (Planning) advised Committee that the first two items for consideration, Item 1 and item 2 would be heard in conjunction with each other, as they were related to the same site.

1583/16 **Item No. 1 – application number 15/1910 – variation of condition 2 of permission BC54062P to vary the range of goods sold at former Glynwebb Premises, Keyway Retail Park, Armstrong Way, Willenhall, WV13 2QU**

and

Item No. 2 – application number 16/0150 – external alternations to existing retail (Class A1) unit including removal of 1 no. custom entrance; re-configured car parking layout; erection of pump house and sprinkler tank and associated works at former Glynwebb Premises, Keyway Retail Park, Armstrong Way, Willenhall, WV13 2QU

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

(see annexed)

The Committee then welcomed the only speaker on both applications, Mr. Rainbird, who spoke in support of officer's recommendations.

There then followed a period of questioning by Members to the speaker and to officers which included what pedestrian arrangements would be in place with regards to safe access. In response, the speaker stated the existing access was considered safe and the Public Rights of Way Team Leader confirmed that access was through Tesco's car park.

Councillor Nawaz left at this juncture of the meeting.

Members considered the applications further including concerns regarding the pedestrian access and the narrowness of the service yard and service access and whether both applications should be deferred to consider these particular concerns; that the applications would bring into use a unit that had lain vacant for ten years, it would bring further employment and investment into the location, concerns around the impact out of town centre developments were having on town centres themselves.

The Group Manager (Planning) reiterated that the site already had established use and that the access had been a route historically and was being maintained by the operations. He advised Committee that should Committee be minded to defer the applications, Members would need to identify significant changes which would warrant a review, and why the changes were required due to the historical nature of the premises.

Councillor Nawaz returned at this juncture of the meeting and therefore did not take place nor vote on this application.

1584/16 **Item No. 1 - application No. 15/1910**

Members considered item number 1 and Councillor Bott **moved** and it was duly **seconded** by Councillor Chambers:-

That planning application number 15/1910 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 **carried**, with ten Members voting in favour and none against

Resolved

That planning application number 15/1910 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1585/16 **Item No. 2 - application No. 16/0150**

Members considered item number 2 and Councillor Bott **moved** and it was duly **seconded** by Councillor Chambers:-

That planning application number 16/0150 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 **carried**, with fourteen Members voting in favour and none against

Resolved

That planning application number 16/0150 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1586/16 **Item No. 4 – application number 15/1838 – variation of condition 5(D) of planning permission BC42920P to allow an extended range of non-food goods to be sold at Unit 3, Bescot Retail Park, Bescot Crescent, Walsall, WS1 4SB**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Mr. Rainbird, who spoke in support of the officer's recommendation.

There were no questions to the speaker or officers.

The Committee then proceeded to discuss the application further which included how the estimated trade diversion and impact to Walsall Town Centre would be very minimal and that the applicant was already selling the respective items.

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

That planning application number 15/1838 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 **carried** with twelve Members voting in favour and none against.

Resolved

That planning application number 15/1838 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1587/16 **Item No. 7 – application number 16/1000 – demolish existing apartment building and construct new 9 x 1 bed and 9 x 2 bed apartments on land C/O Bilston Street and Church Street, Darlaston**

The Planning Officer advised 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 Underhill, who spoke in objection to officer's recommendation.

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

There then followed a period of questioning by Members to speakers and officers, primarily in relation to parking provision, and the overlooking and orientation of the proposed building.

The Committee then proceeded to discuss the application further which included concerns around the parking provision, the consultation process, the size of the proposed building on the site, and that the Art Deco sign to remain in Darlaston as opposed to being donated to the Black Country Museum.

Members considered the application further and Councillor Douglas-Maul **moved** and it was duly **seconded** by Councillor Chambers:-

That planning application number 16/1000 be deferred to allow reappraisal of the site with regards to parking provision and the scale and design of the development to reduce impact

The Motion, having been put to the vote was declared **carried** with ten Members voting in favour and three against.

Resolved

That planning application number 16/1000 be deferred to allow reappraisal of the site with regards to parking provision and the scale and design of the development to reduce impact

1588/16 **Item No. 10 – application number 16/0975 – change of use to an 8 bedroom house with shared basic facilities for unrelated individuals (sui generis use) at 108 Walsall Road, Darlaston, Wednesbury, WS10 9JX**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Ms Abedin, who spoke in support of officer's recommendations.

There then followed a period of questioning by Members to the speaker and to officers which included parking provision and whether vehicles could turn around within the curtilage of the property, and whether the building was listed or within a conservation area.

In response, the speaker stated there were 5 parking spaces plus a cycle storage area and she confirmed that vehicles would be able to turn around on the site without having to reverse onto the highway. Officers confirmed parking was considered adequate and that it was not a listed building or located within a conservation area.

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

That planning application number 16/0975 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 **carried**, with ten Members voting in favour and one against.

Resolved

That planning application number 16/0975 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1589/16 **Item No. 16 – application number – 16/0601 – two storey and single storey rear extensions with rear patio area (resubmission of 15/1802) at 56 Charlemont Road, Walsall, WS5 3NQ**

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

(see annexed)

The Committee then welcomed the only speaker on this application, Mr Islam, who spoke in support of officer's recommendations.

There then followed a period of questioning by Members to the speaker and to officers primarily around meeting the needs of the applicant, the impact of the extensions on the neighbouring properties and whether the application met relevant planning guidance and policies. In response, officers confirmed all separation distances were adequate and officers were satisfied the application did not impact on the neighbouring properties.

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

That planning application number 16/0601 be refused as it was an overdevelopment and would have a negative impact on neighbours

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

Councillor Young then **moved** and it was duly **seconded** by Councillor Worrall:-

That planning application number 16/0601 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 **carried**, with eight Members voting in favour and four against.

Resolved

That planning application number 16/0601 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

Councillor Nawaz requested that his name be recorded as having voted against the Motion.

1590/16 **Item No. 18 – application number 16/0760 – double storey side and rear extension and single storey rear at 31 Berryfields, Aldridge, WS9 0EL**

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

(see annexed)

The Committee then welcomed the first speaker on this application, Mrs Doal, who spoke in objection to officer's recommendation.

The Committee then welcomed the second speaker on this application, Ms Ball, who spoke in support of officers' recommendations.

The Committee then welcomed the third speaker on this application, Mr. Price, who also spoke in support of officers' recommendations.

There then followed a period of questioning by Members to speakers and officers, primarily in relation to the loss of sunlight on the neighbouring property, and whether the plans adhered to the 45 degree guidelines.

Members considered the application and Councillor Nawaz **moved**:-

That planning application number 16/0760 be granted, as the application met officer requirements

The Motion was not seconded and therefore Councillor Rochelle **moved** and Councillor Young **seconded**:-

That planning application number 16/0760 be refused as per the reasons set out in the report.

The Motion, having been put to the vote was declared **carried**, with eleven Members voting in favour and one against.

Resolved

That planning application number 16/0760 be refused as per the reasons set out in the report.

Councillor Nawaz requested that his name be recorded as having voted against the Motion.

Councillor Perry left at this juncture of the meeting.

- 1591/16 **Item No. 3 – application number 12/1343/FL – variation of condition B40(D) of planning permission BC37150P (Reedswood Retail Park) to widen the sale of goods restriction to allow the sale of ambient food and drink from not more than 10% of the sales area up to a maximum of 235sq.m at B&M Retail Unit, Reedswood Retail Park, Walsall**

Resolved

That planning application number 12/1343/FL be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 1592/16 **Item No. 5 – application number 16/0598 – change of use from timber merchants to B1, B2 & B8 at Travis Perkins, Queen Street Sawmills, Queen Street, Walsall, WS2 9PE**

Resolved

That planning application number 16/0598 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

- 1593/16 **Item no. 6 – application number 15/0759/FL – construction of 6 no. two bedroom flats and 5 no. one bedroom flats in a three storey building with associated parking, bin store and cycle store at Roapp Hall, Dorsett Road Terrace, Darlaston, Wednesbury, WS10 8TP**

Members considered the application and Councillor Bott **moved**:-

That planning application number 15/0759/FL be granted, subject to Section 106 contributions to be ring fenced to the recreation ground in Hall Street.

The Planning Group Manager cautioned Members against targeting specific locations for consideration of Section 106 contributions following recent Government restrictions on the funding of individual projects. He advised that Members could reflect a preference (but not ringfenced) for the spending of open space section 106 monies providing there was a current project.

The Motion was not seconded.

Councillor Chambers then **moved** and it was **seconded** by Councillor Young:-

That planning application number 15/0759/FL be granted, subject to conditions as contained within the report and supplementary paper now submitted, and to delegate to the Head of Planning, Engineering and Transportation to complete a section 106 agreement for affordable housing and open space contribution.

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

1594/16 **Item No. 8 – application number 16/0807 – amendments to permission 12/1189/WA to allow reduction in height of process tanks, replace 2 large tanks with smaller tanks, increase size of control cabin and change to layout and landscaping (amend conditions 3 and 5) at Vigo Utopia landfill Site, Coppice Lane, Walsall Wood, Walsall**

Resolved

That planning application number 16/0807 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1595/16 **Item No. 11 – application number 16/0997 – retrospective: Amendments to planning permission 15/0257/FL (proposed skate park) in regard to height and layout at Rushall Park, Rowley Place, Rushall, WS4 1LR**

Resolved

That planning application number 16/0997 be granted for a period of 12 months, subject to conditions as contained within the report and supplementary paper now submitted.

Councillor Young and Councillor Chambers left at this juncture of the meeting.

1596/16 **Item No. 14 – application number 15/1923 – substantial demolition and extension to existing public house to create retail shop (A1) including ATM, revised parking, service and storage arrangements at Limekiln, Northgate, Aldridge, Walsall, WS9 8BD**

Resolved

That planning application number 15/1923 be granted, subject to conditions as contained within the report now submitted.

Councillor Chambers returned to the meeting.

1597/16 **Item No. 15 – application number – 15/1229 – proposed construction of 3 no. apartments on land adjacent 21A Millfield Avenue, Bloxwich, Walsall, WS3 3QS**

Resolved

That Committee confirms the Council's recommendation to refuse consent on this non determination appeal as set out in the report now submitted.

1598/16 **Item No. 17 – application number 16/0816 – ground floor rear extension to kitchen at 1A The Granary, Aldridge, Walsall, WS9 8NY**

Resolved

That planning application number 16/0816 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

1599/16 **Item No. 19 – application number 16/0800 – conversion of existing garage to habitable room at 47 Moorfields Close, Aldridge, WS9 8BP**

Resolved

That planning application number 16/0800 be granted, subject to conditions as contained within the report now submitted.

Termination of meeting

There being no further business, the meeting ended at 7.50pm

Signed

Date