

DEVELOPMENT CONTROL COMMITTEE

11 December, 2007 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Mike Bird (Chairman)
Councillor Dennis Anson
Councillor Clive Ault
Councillor Paul Bott
Councillor Brian Douglas-Maul
Councillor Mike Flower
Councillor Louise Harrison (arrived at 5.45 p.m.)
Councillor Peter Hughes
Councillor Bill Madeley
Councillor Cath Micklewright
Councillor Jon Phillips (arrived at 5.50 p.m.)
Councillor John Rochelle (arrived at 5.40 p.m.)
Councillor Doreen Shires
Councillor David Turner
Councillor Patricia Young

1604/07 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Beeley, Sanders, McCracken, Underhill and Yasin

1605/07 **Minutes**

Resolved

That the minutes of the meeting held on 20th November 2007, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1606/07 **Declarations of Interest**

Councillor Bird declared:-

A Personal Interest in Agenda Item 13 – Funeral Parlour at 63/64 Norton Road as the company was owned by Co-Op who employed his daughter.

Councillor Madeley declared:-

A Personal Interest in Agenda Item 13 – Funeral Parlour at 63/64 Norton Road as he was a Member of the Co-Op.

A Prejudicial Interest in item 1 of the Plans List – Land between School Street/Alma Street/Willenhall Street as he lived near to the proposed development.

Councillor Bott declared:-

A Prejudicial Interest in Item 1 – Land between School Street/Alma Street/Willenhall Street as he had entered into discussions with local residents before the meeting and Item 2 – Moxley Arms, High Street, Moxley as he declared his support at the Regeneration group.

1607/07 **Deputations and Petitions**

The Chair reported that he had received a request from Councillor Hughes to introduce a Deputation with regard to Agenda Item 5 - Application to undertake tree works at 'Concordia', 17 Highgate, Streetly.

The Committee agreed to accept the deputation.

1608/07 **Application to undertake tree works at 'Concordia', 17 Highgate, Streetly**

The Chair welcomed Councillor Hughes to the meeting whom, in turn, introduced Mr Harris as a deputation.

Mr Harris then addressed the Committee and drew Members attention to pertinent points with regard to his request to undertake works to tree's on his property.

Councillor Hughes endorsed the comments made by Mr Harris and urged Committee to agree to all works as submitted by the applicant.

Members considered the application and Councillor Flower **Moved** and it was duly **Seconded**;-

That the application to undertake works to trees at 'Concordia', 17 Highgate, Streetly be approved as originally submitted by the applicants.

Resolved

That the application to undertake works to trees at 'Concordia', 17 Highgate, Streetly be approved as originally submitted by the applicants.

1609/07 **Confirmation of Tree Preservation Order 17 of 2007 – Land at 27 Essington Road, Willenhall**

Resolved

- (1) That the Walsall Tree Preservation Order No. 17 of 2007 be confirmed in an unmodified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;
- (3) That it be noted that no representations had been received in respect of this Tree Preservation Order.

1610/07 **Confirmation of Tree Preservation Order 20 of 2007 – Land at garages to the rear of 37 Emery Close, Walsall.**

Resolved

- (1) That the Walsall Tree Preservation Order No. 20 of 2007 be confirmed in a modified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;
- (3) That it be noted that four representations had been received in respect of this Tree Preservation Order.

1611/07 **Confirmation of Tree Preservation Order 23 of 2007 – Land at 44 Park Road, Walsall**

Resolved

- (1) That the Walsall Tree Preservation Order No. 44 of 2007 be confirmed in an unmodified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;
- (3) That it be noted that two representations had been received in respect of this Tree Preservation Order.

1612/07 **Confirmation of Tree Preservation Order 25 of 2007 – Land at Cartbridge Lane, Walsall**

Resolved

- (1) That the Walsall Tree Preservation Order No. 21 of 2007 be confirmed in an unmodified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;
- (3) That it be noted that one representation had been received in respect of this Tree Preservation Order.
- (4) That Tree Preservation Order 6 of 1974 be revoked.

Councillor Micklewright requested that her name be recorded as having abstained from voting on this application

1613/07 **Confirmation of Tree Preservation Order 27 of 2007 – Land at Wiggin House, Buxton Road, Walsall**

Resolved

- (1) That the Walsall Tree Preservation Order No. 27 of 2007 be confirmed in an unmodified form;
- (2) That the reason for making the Tree Preservation Order, as set out in the report now submitted, be supported;

- (3) That it be noted that one representation had been received in respect of this Tree Preservation Order.

1614/07 **133 Dickinson Drive, Walsall**

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

(see annexed)

Resolved

- (1) That authority be delegated to the Assistant Director of Legal and Constitutional Services and Head of Planning and Building Control for the issuing of requisitions for information and enforcement notices, as detailed in sections 2.2 and 2.3 of the report now submitted;
- (2) That the decision as to the institution of legal proceedings, in the event of non-compliance with the notice or the non-return of requisitions for information, be delegated to the Assistant Director of Legal and Constitutional Services;
- (3) That, authority be delegated to the Assistant Director of Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to or delete from the wording set out in the report stating the nature of the breach(es).

1615/07 **Queslett Road – Former Petrol Service Station**

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

(see annexed)

Resolved

- (1) That Authority be delegated to the Assistant Director of Legal and Constitutional Services and Head of Planning and Building Control for the issuing of requisitions for information and enforcement notices, as detailed in sections 2.2 and 2.3 of the report now submitted;
- (2) That the decision as to the institution of legal proceedings, in the event of non-compliance with the notice or the non-return of

requisitions for information, be delegated to the Assistant Director of Legal and Constitutional Services;

- (3) That, Authority be delegated to the Assistant Director of Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to or delete from the wording set out in the report stating the nature of the breach(es).
- (4) That Authority be delegated to the Assistant Director of Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to issue a Temporary Stop Notice, if following investigation, there are strong highway grounds for doing so.

1616/07 Funeral Parlour - 63 /64 Norton Road, Pelsall

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

(see annexed)

Resolved

- (1) That authority be delegated to the Assistant Director of Legal and Constitutional Services and Head of Planning and Building Control for the issuing of requisitions for information and enforcement notices, as detailed in sections 2.2 and 2.3 of the report now submitted;
- (2) That the decision as to the institution of legal proceedings, in the event of non-compliance with the notice or the non-return of requisitions for information, be delegated to the Assistant Director of Legal and Constitutional Services;
- (3) That, authority be delegated to the Assistant Director of Legal and Constitutional Services, in consultation with the Head of Planning and Building Control to amend, add to or delete from the wording set out in the report stating the nature of the breach(es).

1617/07 The Former Mellish Road Church, Lichfield Road, Walsall.

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

(see annexed)

Resolved

That the report be noted.

1618/07 **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 first with the items on the agenda where the members of the public had previously indicated that they wished to address the Committee.

1619/07 **Item 11 - 07/2342/FL/E10 - Proposed Ground Floor Retail Units with First and Second Floor Offices at Redundant Petrol Filling Station, Corner of Moreton Avenue and Beacon Road Great Barr.**

The Planning officer advised of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

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

The Committee then welcomed the second speaker, Mr Lombardo who wished to speak in support of the application.

There then followed a period of questioning by members in relation to the proposed access & egress, public transport in the area, traffic congestion and delivery points.

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

That planning application 07/2342/FL/E10 be refused, contrary to officers recommendations, as the development had inadequate car parking arrangements and insufficient parking provision and servicing arrangements.

The motion having been put to the vote was declared **carried** with 14 Members voting in favour of refusal and 1 against.

Resolved

That planning application 07/2342/FL/E10 be refused, contrary to officers recommendations, as the development had inadequate car parking arrangements and insufficient parking provision and servicing arrangements.

1620/07 **Item No. 1 – 07/2348/FL/W6 – Erection of 22no New Build Dwellings at Land between School Street/Alma Street/Willenhall Street, Walsall.**

The Planning officer advised of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

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

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

There then followed a period of questioning by members in relation to traffic movements on the site, access and egress to the school and alternative road improvement measures.

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

That planning application 07/2348/FL/W6 be approved subject to the conditions as contained in the report now submitted and a Section 106 Agreement.

The motion having been put to the vote was declared **carried** with 6 Members voting in favour and 2 against.

Resolved

That planning application 07/2348/FL/W6 be approved subject to the conditions as contained in the report now submitted and a Section 106 Agreement.

Councillors Madeley and Bott, having declared a prejudicial interest in this item, left the room during deliberation and did not vote.

1621/07 **Item No. 2 - 07/2232/FL/W6 - Demolition of public house and construction of 6 houses and 9 apartments at Moxley Arms, High Street, Moxley**

The Planning officer advised of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

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

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

The Committee then welcomed the third speaker on this item Mr Fielding who wished to speak in support of the application.

There then followed a period of questioning by members in relation to the building line, level of negotiation undertaken and the provision of a Section 106 agreement.

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

- i) That planning application 07/2232/FL/W6 be approved subject to the conditions contained in the report now submitted and a Section 106 Agreement.
- ii) That the Head of Planning and Building Control be authorised to refuse the application using delegated powers if a Section 106 Agreement is not forthcoming.

The motion having been put to the vote was declared **carried** with 6 Members voting in favour and 4 against.

Resolved

- i) That planning application 07/2232/FL/W6 be approved subject to the conditions contained in the report now submitted and a Section 106 Agreement.
- ii) That the Head of Planning and Building Control be authorised to refuse the application using delegated powers if a Section 106 Agreement is not agreed.

Councillors Young and Madeley having left the room during deliberation of this item did not take part or vote.

Councillor Bott, having declared a prejudicial interest in this item, left the room during deliberation and did not vote.

1622/07 **Item No. 3 - 07/1784/FL/W2 - Erection of Dormer Bungalow at Land rear of 121, Pargeter Street, Walsall**

The Planning officer advised of the background to the report.

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

The Committee then welcomed the second speaker on this item, Mrs Polos who wished to speak in objection to the application.

The Committee then welcomed the third speaker on this item Mr Sehdeva who wished to speak in support of the application.

There then followed a period of questioning by members in relation to the security of the site for neighbouring properties.

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

That planning application 07/1784/FL/W2 be approved subject to the conditions as contained in the report now submitted.

The motion having been put to the vote was declared **carried** with 10 Members voting in favour and 5 against.

Resolved

That planning application 07/1784/FL/W2 be approved subject to the conditions as contained in the report now submitted.

1623/07 **Item No. 4 - 07/2341/RM/W7 - Partial submission of Reserved Matters relating to Condition 3a) of Planning Permission 06/1450/OL/W1 relating to landscape works for the central portion (Phase 1) of the development site at Walsall Waterfront, Land to the south of Wolverhampton Street, Walsall.**

The Planning officer advised of the background to the report.

The Committee then welcomed Mr Sanham who wished to speak in support of the application.

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

That planning application 07/2341/RM/W7 be approved subject to the conditions as contained in the report now submitted.

The motion having been put to the vote was declared **carried** with Members voting unanimously in favour of approving the application.

Resolved

That planning application 07/2341/RM/W7 be approved subject to the conditions as contained in the report now submitted.

1624/07 **Item No. 7 - 07/2228/FL/W7 - Erection of four and five storey building for a retirement village comprising 144 apartments and associated communal facilities together with associated car parking, landscaping and revised access arrangements at Land at Bentley Road North, Walsall.**

The Planning officer advised of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

The Committee then welcomed Mr Anderson who wished to speak in support of the application.

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

That planning application 07/2228/FL/W7 be approved subject to the conditions as contained in the report now submitted and a Planning Obligation.

The motion having been put to the vote was declared **carried** with Members voting unanimously in favour of approving the application.

Resolved

That planning application 07/2228/FL/W7 be approved subject to the conditions as contained in the report now submitted and a Planning Obligation.

Councillor Louise Harrison left the meeting at this juncture and did not return.

1625/07 **Item No. 13 - 07/2210/FL/H4 - Double-Storey Front, Side and Rear Extension, Single-Storey Rear Extension with Enlarged Roof Over Existing House at 2 Elizabeth Road, Walsall**

The Planning officer advised of the background to the report.

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

The Committee then welcomed the second speaker on this item, Mrs Aqbal who wished to speak in support of the application.

There then followed a period of questioning by members in relation to the scale of the build and how it fit within the street scene.

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

That planning application 07/2210/FL/H4 be approved subject to the conditions as contained in the report now submitted.

The motion having been put to the vote was declared **carried** with 7 Members voting in favour and 4 against.

Resolved

That planning application 07/2210/FL/H4 be approved subject to the conditions as contained in the report now submitted.

1626/07 **Item No. 14 - 07/2475/FL/E11 - Change of Use/Extensions to Former Office Building to 8 no. Residential units with Car Parking, Landscaping - 158A, Lichfield Road, Walsall.**

The Planning officer advised of the background to the report and drew Members attention to the supplementary paper circulated at the meeting.

The Committee then welcomed Pamela Perks who wished to speak in objection to the application.

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

That planning application 07/2475/FL/E11 be approved subject to the conditions as contained in the report now submitted.

The motion having been put to the vote was declared **carried** with Members voting in favour of approving the application.

Resolved

That planning application 07/2475/FL/E11 be approved subject to the conditions as contained in the report now submitted.

Councillor Micklewright requested her name be recorded as having voted against the application.

1627/07 **Item No. 5 - 07/2059/FL/E9 - Erection of 59 Extra Care Apartments, communal facilities, Day care centre, parking and associated landscaping at Mossley Centre, 1 Roche Road, Walsall.**

Resolved

That planning application 07/2059/FL/E9 be approved subject to the conditions as contained in the report now submitted.

1628/07 **Item No. 6 - 07/2323/FL/E12 - Proposed Construction of 10 Two Bedroom Dwellings with Associated Parking at Land at the corner of Goscote Lane and Well Lane, Walsall**

Resolved

That planning application 07/2323/FL/E12 be approved subject to the conditions as contained in the report and supplementary paper now submitted and a Planning Obligation.

1629/07 **Item No. 8 - 07/2167/FL/E6 - Change of use including minor extension to public house to form 12 residential apartments at Three Crowns P.H. Sutton Road, Walsall.**

Resolved

That planning application 07/2167/FL/E6 be approved subject to the conditions as contained in the report now submitted and a Planning Obligation.

- 1630/07 **Item No. 9 - 07/2029/FL/E11 - Erection of New industrial unit class B1(C),B2 & B8 with ancillary offices at Fleethouse Anchorbrook Business Park, Wharf Approach, Aldridge, Walsall.**

Resolved

That planning application 07/2029/FL/E11 be approved subject to the conditions as contained in the report now submitted.

- 1631/07 **Item No. 10 - 07/2085/FL/E11 - 40no. Dementia Care Apartments, Communal Facilities, Day Treatment and Day Care Centres, Parking and associated landscaping at Goscote Hospital Site, Goscote Lane, Walsall.**

Resolved

That the Head of Planning and Building Control be authorised to grant conditional planning permission, subject to the conditions as contained in the report and supplementary paper and receipt of a satisfactory amended plan showing the boundary of the site.

- 1632/07 **Item No. 12 - 07/2340/FL/E9 – Proposed Construction of 18 no. 2 and 6 bedroom dwellings and associated parking at Land off Thames Road, Blakenall, Goscote, Walsall.**

Resolved

That planning application 07/2340/FL/E9 be approved subject to the conditions as contained in the report now submitted and a Planning Obligation.

- 1633/07 **Item No. 15 - 07/2476/FL/H1 - Erection of Garages at 99 Hednesford Road, Brownhills, Walsall.**

Resolved

That planning application 07/2476/FL/H1 be approved subject to the conditions as contained in the report now submitted.

1634/07 **tem No. 16 - 07/2336/FL/E11 – Proposed construction of 8 no 2 bedroom flats and 1 no 4 bedroom dwelling with associated parking at Land on the corner of Thames Road and Severn Road, Blakenall.**

Resolved

That planning application 07/2336/FL/E11 be approved subject to the conditions as contained in the report now submitted.

1635/07 **Item No. 17 - 07/2326/FL/E10 - Proposed Construction of 1 no 4 Bedroom Dwelling and 1 no 2 Bedroom Dwelling with Associated Parking at land on the corner of Wye Road and Severn Road, Walsall.**

Resolved

That planning application 07/2326/FL/E10 be approved subject to the conditions as contained in the report now submitted and subject to no additional information being received which raises material considerations.

1636/07 **Item No. 18 - 07/2306/FL/E12 - Variation of condition 3 of BC63061P to amend opening times from 5.00 pm to 10.00 pm (open one hour earlier) at 69 Blackwood Road, Walsall**

Resolved

That planning application 07/2306/FL/E12 be approved subject to the conditions as contained in the report now submitted.

Termination of meeting

There being no further business the meeting terminated at 8.45 p.m.

Signed:

Date: