

## **DEVELOPMENT CONTROL COMMITTEE**

**Tuesday, 1<sup>st</sup> April, 2008 at 5.30 p.m.**

**In the Council Chamber at the Council House Walsall**

### **Present**

Councillor Bird (Chairman)  
Councillor Beeley (Vice-Chairman)  
Councillor Anson  
Councillor Ault (arrived at 5.40 p.m.)  
Councillor P. Bott  
Councillor Douglas-Maul (arrived at 5.40 p.m.)  
Councillor Flower  
Councillor P. Hughes  
Councillor Madeley  
Councillor Micklewright  
Councillor J. Phillips (arrived at 5.45 p.m.)  
Councillor Rochelle  
Councillor D.A. Shires  
Councillor Turner  
Councillor Underhill (arrived at 5.35 p.m.)  
Councillor Yasin  
Councillor Young

### **1724/08 Apologies**

No apologies were received.

### **1725/08 Minutes**

#### **Resolved**

That the minutes of the meeting held on 11<sup>th</sup> March, 2008, a copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

### **1726/08 Declarations of Interest**

Councillor Anson declared:-

A prejudicial interest in Item 1 of the Plans List relating to Land at former Caparo Works, between the Wyrely and Essington Canal, Miner Street, Green Street and Old Birchills, Old Birchills, Walsall as he was a member of the project reference group.

**1727/08 Deputations and Petitions**

No deputations or petitions were received.

**1728/08 Consultation on Draft Supplementary Planning Document (SPD) 'Conserving Walsall's Natural Environment'.**

Members considered a report detailing the implications of the Draft SPD for the Natural Environment.

**Resolved**

- (1) That the report be noted;
- (2) That Cabinet be recommended to adopt the Supplementary Planning Document 'Conserving Walsall's Natural Environment'.

**1729/08 Confirmation of Tree Preservation Order 45 of 2007 on land adjacent to 76 Bescot Crescent, Walsall**

**Resolved**

- (1) That the Walsall Tree Preservation Order No. 45 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.

**1730/08 Confirmation of Tree Preservation Order 46 of 2007 on land at former Redhouse School, Gorsey Way, Walsall**

**Resolved**

- (1) That the Walsall Tree Preservation Order No. 46 of 2007 be confirmed in a 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.

**1731/08 Application to fell protected tree adjacent 18 Rose Hill, Willenhall**

**Resolved**

That consent be granted to remove the Poplar tree adjacent to 18 Rose Hill, Willenhall.

**1732/08 Application List for Permission to Develop**

The application list for permission to develop was submitted, together with the supplementary papers and additional information for items already on the plans list:-

(see annexed)

The Committee agreed to deal with the items on the agenda where the members of the public had previously indicated that they wished to address the Committee.

**1733/08 Declarations of Interest**

Councillor J. Phillips declared:-

A personal interest in Item 1 of the Plans List relating to Land at former Caparo Works, between the Wyrely and Essington Canal, Miner Street, Green Street and Old Birchills, Old Birchills, Walsall as he is a member of the project reference group. This was not a prejudicial interest as he had not made any opinion or statement on any aspect of the application, he also abstained himself from the meeting of the group where representation on this application were made and did not contribute to the comments in any way.

**1734/08 Item No. 5 - 07/2587/FL/E10 – Construction of a 9 bed C2 residential care home for adults with learning disabilities including a 2 bed self contained apartment, access parking and landscaping at Land at Turnberry Road, Bloxwich, Walsall**

The Planning Officer advised the Committee of the background to the report and drew Members attention to the supplementary papers circulated at the meeting.

Prior to the speakers being called upon the Chairman explained the procedure whereby speakers would have three minutes to speak and then at two minutes they would be reminded that they had a minute left.

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

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

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

There then followed a period of questioning by Members in relation to the staffing levels, onsite once it would be constructed, the size of the footprints of buildings, building regulations in relation to sprinklers and the size of the boundary fence.

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

That planning application No. 07/2587/FL/E10 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 nine Members voting in favour and three against.

### **Resolved**

That planning application No. 07/2587/FL/E10 be approved, subject to the conditions as contained in the report now submitted.

***Councillor Madeley having left the room during deliberation did not take part or vote.***

1735/08    **Item No. 1 - 08/0163/OL – Outline application for residential development of up to 310 dwellings (access and scale to be considered) at Land at former Caparo Works, between the Wyrely and Essington Canal, Miner Street, Green Street and Old Birchills, Old Birchills, Walsall**

The Planning Officer advised the Committee of the background to the report and drew Members attention to the supplementary papers circulated at the meeting. Due to the detailed nature of the supplementary paper the Officer ensured that each point was addressed verbally at the meeting.

Prior to the speakers being called upon the Chairman explained the procedure whereby speakers would have three minutes to speak and then at two minutes they would be reminded that they had a minute left.

The Committee then welcomed the first speaker on this item, Mr. Smith, who wished to speak in support of the application.

The Committee then welcomed the second speaker on this item, Mr. Williams, who explained that he was present to answer any questions the Committee may have.

There then followed a period of questioning by Members in relation to the level of Section 106 contributions, transport implications and possible network improvements.

The Chair explained that there appeared to be a number of issues that required a revolution between the developers and officers, with this in mind it was proposed that the application be deferred to allow further negotiations to take place.

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

That planning application No. 08/0163/OL be deferred to enable further discussions to take place with the applicant to negotiate the Section 106 contributions and a proportionate solution to the highway junction improvements.

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

### **Resolved**

That planning application No. 08/0163/OL be deferred to enable further discussions to take place with the applicant to negotiate the Section 106 contributions and a proportionate solution to the highway junction improvements.

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

***Councillor J. Phillips had declared a personal interest in this item.***

1736/08    **Item No. 6 - 08/0069/FL – First floor rear extension (addition to existing approval) at 26 Gorway Road, Walsall**

The Planning Officer advised the Committee of the background to the report and drew Members attention to the supplementary papers circulated at the meeting.

Prior to the speakers being called upon the Chairman explained the procedure whereby speakers would have three minutes to speak and then at two minutes they would be reminded that they had a minute left.

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

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

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

There then followed a period of questioning by Members in relation to the distance between the extension and neighbouring properties and the removal of a protected tree.

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

That planning application No. 08/0069/FL 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 eight Members voting in favour and seven against.

### **Resolved**

That planning application No. 08/0069/FL be approved subject to the conditions as contained in the report now submitted.

***Councillor Young having left the room during deliberation did not take part or vote.***

- 1737/08 **Item No. 2 – 07/2253/FL/W7 – Proposed residential development of 28 number new build houses, 7 no. houses formed from conversion of exchange house, 4 no. apartments from conversion of offices to Wednesbury Road, 8 no. apartments from conversion of offices to Midland Road with associated car parking, external works and demolition of existing industrial buildings at land at Wednesbury Road and Tasker Street, Walsall**

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

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

That planning application No. 07/2253/FL/W7 be approved, subject to:-

- (1) the conditions as contained in the report and supplementary paper now submitted;
- (2) the deletion of condition 24 regarding the use of the Lithographic car park;
- (3) officers being authorised to modify condition 23 relating to bin stalls for all properties;
- (4) a planning obligation
- (5) that all £70,000 available from Section 106 go to education provision.

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

#### **Resolved**

That planning application No. 07/2253/FL/W7 be approved, subject to:-

- (1) the conditions as contained in the report and supplementary paper now submitted;
- (2) the deletion of condition 24 regarding the use of the Lithographic car park;
- (3) officers being authorised to modify condition 23 relating to bin stalls for all properties;
- (4) a planning obligation
- (5) that all £70,000 available from Section 106 go to education provision.

***Councillor Yasin left the meeting at the conclusion of this item and did not return.***

1738/08 **Item No. 3 - 07/2750/FL/E6 – Change of use to B8 (storage and distribution) at land and premises on the Northwest Side of Morford Road, Northgate, Aldridge**

#### **Resolved**

That planning application No. 07/2750/FL/E6 be approved, subject to the conditions as contained in the report and supplementary paper now submitted.

1739/08 **Item No. 4 - 07/2706/FL/W7 – change of use to takeaway A5 (including extract duct) ay 56 Bridge Street, Walsall**

**Resolved**

That planning application No. 07/2706/FL/W7 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 7.40 p.m.

Signed: .....

Date: .....