

PLANNING COMMITTEE

Thursday 22 March, 2018 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Nazir (Chair)
Councillor Underhill (Vice Chair)
Councillor Bird
Councillor P. Bott
Councillor Craddock
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Harris
Councillor D. Hazell
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Sarohi
Councillor Shires
Councillor Ward
Councillor Worrall

1936/18 **Apologies:**

An apology for non-attendance was submitted on behalf of Councillor Harrison.

1937/18 **Minutes**

Resolved

That the minutes of the meeting held on 1 February, 2018, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

1938/18 **Declarations of Interest**

Councillor Perry declared a non-pecuniary interest in plans list item 9 - planning application number 17/1546 – construction of 3 no detached dwellings and associated access, parking and garaging at land to rear of 24-28 Chester Road North, Brownhills, Walsall, WS8 7JP

1939/18 **Deputations and Petitions**

There were no deputations introduced or petitions submitted

1940/18 **Local Government (Access to information) Act, 1985 (as amended)**

There were no items for consideration in private session.

1941/18 **Confirmation of Tree Preservation Order 10 of 2017 at Carrick Close, Pelsall, WS3 5BE**

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

(see annexed)

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

Resolved (unanimously)

- i. confirm the Walsall Tree Preservation Order 10 of 2017 in an unmodified form as per the plan showing the Tree Preservation Order as set out in the report now submitted
- ii. support the reason for making the Tree Preservation Order as set out at paragraph 10 of the report
- iii. note that four representations had been received in respect of this Tree Preservation Order

1942/18 **Section 106 – January to March 2016/17**

and

1943/18 **Section 106 – April to December, 2017/18**

The reports of the Head of Planning, Engineering and Transportation were submitted

(see annexed)

The Planning Group Manager apologised to Members for the lateness of the reports and the need to table them, due to technical issues following a change-over in systems.

The Planning Group Manager advised Committee of the background to the reports and highlighted the salient points contained therein. He reported that the spend process for Section 106 contributions would be improved in future and consultation letters would be sent out to the Ward Councillors upon receipt of applications within their wards that may have the potential for securing S.106 contributions, to enable the respective Ward Councillors to engage with officers regarding the spend.

Members discussed the reports further, which included the reassurance of a way forward and the potential for future discussions regarding S.106 spend within the four locality boards; the number of historical contributions over three years old and that Members receive an update on historical monies owing.

The Planning Group Manager informed Committee of the monitoring of Government's policies and changing structure and the pending update on Community Infrastructure Levy (CIL).

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

That:-

- i. Committee noted the report for Quarter 4 of 2016/17 and the report of Quarter 1 of 2017/18
- ii. Section 106 contributions to be collected within the Finance function of the Council as opposed to the Planning Section.

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

Resolved

That:-

- i. Committee noted the report for Quarter 4 of 2016/17 and the report of Quarter 1 of 2017/18
- ii. Section 106 contributions to be collected within the Finance function of the Council as opposed to the Planning Section.

1944/18 **Planning Decisions and the Need for Reasons**

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

(see annexed)

The Planning Group Manager advised Committee that following a recent court case decision in December, 2017 between Dover District Council and CPRE Kent, whereby the Supreme Court set out the role of reasons in the determination of planning applications, there was now an expectation that with all decisions made by the Local Planning Authority whether by officers using delegated powers or through Planning Committee, reasons need to be given for the decision made on planning applications, and he drew Members attention to paragraph 3.22 of the report.

Members proceeded to discuss the report in detail with mixed comments, which included how although the current procedure saw officers making recommendations but ultimately it should be Members who decide on the final decision outcomes; concerns regarding the proposed decision making process whereby recommendations not in accordance with officers recommendations would have to be articulated prior to the decision being voted upon; implications for applicants in attendance at Committee aware of a deferral of the decision but having to wait at least another meeting cycle for an official notification decision; implications pertaining to non-determination of applications within the timescales set by Secretary of State; the procedure would ensure all decision making is justified and in accordance with policies.

The Planning Solicitor reiterated that as a consequence of the Dover case, most decision reasons had to be justifiable with clear thought processes should they be scrutinised, although it may be possible to delegate smaller, subjective matters. She explained that should Members be minded to vote against an officer recommendation, a deferment of the application would enable Members to work with Planning Officers outside of the meeting to enable a statement of reasons to be drawn up before the application is brought back to the next meeting thus ensuring the less likely hood of challenges.

The Planning Group Manager confirmed the mandatory training for Planning Committee Members at the start of the new municipal year would include decision making and the need for reasons.

Members considered the report further and the Chair **moved** and it was duly **seconded** by Councillor Bird:-

That Planning Committee noted the findings of the Supreme Court case of Dover District Council v CPRE Kent, December 2017 with particular reference to the requirement to provide reasons for planning decisions and the standards which should be met for those reasons.

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

1945/18 **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 where members of the public had previously indicated that they wished to address the Committee and he requested that Committee allow plans list item 12 to be heard immediately following plans list item 5 and he also advised Committee that plans list item 13 had been deferred for two cycles at the request of the applicant. Committee were in agreement.

The Chair at the beginning of each item for which there were speakers, confirmed they had been advised of the procedure whereby each speaker would have two minutes to speak.

1946/18 **Plans list Item 1 – application number 17/0870 – planning application for two replacement wider bridges over the M6 Motorway and a package of highway improvements comprising enhanced motorway slip roads, installation of traffic signals, widening of the junction of A454 and Tempus Drive, Bloxwich Lane, modifications to the Black Country Route, landscape works and associated infrastructure and engineering works at Junction 10, M6 Motorway, Walsall, West Midlands**

The Presenting 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, Mr. Reid, who wished to speak in support of officer recommendations.

Mr. Reid said he was from Highways England and that the application formed part of a wider roads investment. He highlighted the importance of the infrastructure and the unique approach to protect the integrity of the roadwork and to improve the local economy.

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

Mr. Ellingham, the agent's Planning Director reiterated the importance of the improvements to the motorway network and he reported that all technical matters had been resolved.

The Planning Group Manager advised that Members should direct all technical questions to the speakers.

There then followed a period of questioning by Members in relation to cycle and pedestrian improvements, the widening of lanes, whether contingency plans would be in place and engagement with all parties.

In response, it was confirmed that the new scheme would include signal crossings for cycles and pedestrians, that all lanes entering the island would be widened, and that emergency vehicles would be able to continue to use the road system.

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

That planning application number 17/0870 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission, subject to conditions to be amended as refined with consultees, as contained within the report and 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 number 17/0870 be delegated to the Head of Planning, Engineering and Transportation to grant planning permission, subject to conditions to be amended as refined with consultees, as contained within the report and supplementary paper now submitted.

- 1947/18 **Plans list item 2 – application number 17/1656 – a hybrid planning application comprising: an outline application for the construction of up to 263 dwellings with associated gardens areas; minor estate roads, parking areas and driveways, along with public open space provision and all other associated works; a full planning application for three new points of access, main estate roads through the site, as identified on the submitted plans and for the Site Infrastructure Drainage Strategy at former Cerro EMS Limited, Goscote Lane, Bloxwich, Walsall, WS3 1SJ**

The Presenting 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, Mr. Plant, who wished to speak in support of officers recommendations.

Mr. Plant advised he was representing the applicants, St. Francis Group (Goscote) Ltd, who have been working on the remediation strategy of the site over a number of years culminating in the hybrid application for up to 263 dwellings for consideration. He added that 25% of dwellings would comprise of affordable housing, with an anticipated commencement date of May, 2018.

There followed a period of questioning by Members to the speaker and officers, which included whether any improvements were planned for the bridge on Slacky Lane, precautionary measures to prevent motor cycles using the site as a 'rat run' and concerns around adequate school places within the area.

The Committee considered the application, including a need to recognise and consider infrastructure at the same time as the drive to build homes, and Councillor Rochelle **moved** and it was duly **seconded** by Councillor Ward:-

That planning application number 17/1656 be delegated to the Head of Planning, Engineering and Transportation to grant permission, subject to conditions including the revision of removal of any conditions listed below, not required following receipt of details acceptable to officers and consultees: subject to the completion of a Section 106 Agreement to provide for affordable homes (or to demonstrate that contributions are not viable) and for the management of proposed open space; subject to an updated Transport Assessment including any conditions / obligations as required, to address the concerns of the Highway Authority and allow officers to consider Canal & Rivers Trust comments, as contained within the report now submitted.

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

Resolved

That planning application number 17/1656 be delegated to the Head of Planning, Engineering and Transportation to grant permission, subject to conditions including the revision of removal of any conditions listed below, not required following receipt of details acceptable to officers and consultees: subject to the completion of a Section 106 Agreement to provide for affordable homes (or to demonstrate that contributions are not viable) and for the management of proposed open space; subject to an updated Transport Assessment including any conditions / obligations as required, to address the concerns of the Highway Authority and allow officers to consider Canal & Rivers Trust comments, as contained within the report now submitted.

At this juncture, the meeting was adjourned for a ten minute comfort break and reconvened at 6.55pm. Councillor Harris and Councillor Jones had not returned to the Chamber.

1948/18 **Plans list item 5 – application number 17/1573 – demolition of existing buildings and residential development of 301 apartments (106 x 1 bedroom apartments and 195 x 2 bedroom apartments on site of former Argyle Works, William House and Greatrex House, corner of Navigation Street and Marsh Street, Walsall, WS2 9LT**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted, and he emphasised the reasons for refusal.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr. Faizey, who spoke in objection to officers recommendations.

Mr. Faizey advised Committee the windows and balconies would be omitted, the scale and massing of the building was appropriate within the area and that the applicant was aware of limestone which had been similarly dealt with at a nearby development but which would only be ascertained once demolition has taken place and site cleared.

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

Councillor Andrew stated the development would be the final piece of the Waterfront 'jigsaw' and a once in a lifetime opportunity for Walsall, the site was within close proximity to the rail network thus encouraging city centre living, and he feared the site would remain derelict as it had done for the last 15 years should Members be minded to refuse permission.

There then followed a period of questioning by Members to the speakers and officers, which predominantly focused around the site, ecological investigations, timescales and parking provision. Members further enquired of the consequences should Committee be minded to delegate approval to officers.

In response, the Planning Group Manager advised that officers would have to be confident the scheme could address all of the current reasons for refusal otherwise officers would not grant approval and it would return to Committee.

At this point in the meeting, Councillor Bird moved and it was duly seconded by Cllr Nawaz :-

That Standing Order No. 9(a) of the Council's Constitution be suspended in order for the Committee to conclude the remainder of its business.

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

The Committee proceeded to discuss the application in detail, which included how the development would be a one off opportunity with the potential to bring young professionals into Walsall thus boosting the economy, the probability of the 'burnt out' site remaining derelict has it had been for the last 15 years; that no ground survey work could commence without the demolition and clearing of the site; consideration of the nesting and habitat of the rare black redstart bird.

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

That planning application number 17/1573 be delegated to the Head of Planning, Engineering & Transportation to grant permission subject to conditions and a Section 106 Agreement, subject to completion of satisfactory surveys relating to bats and redstarts, limestone surveys and securing appropriate offsite parking and to return to Committee in the event that the results of the surveys are not satisfactory or that offsite parking is not secured.

The Planning Group Manager reminded Committee of agenda item 9 entitled 'Planning Decisions and the Need for Reasons – Supreme Court Decision: Dover District Council v CPRE Kent', which had been discussed earlier in the meeting, and he requested an adjournment of the meeting to enable the proposer and seconder of the Motion to draw up a Statement of Reasons on an Overturn Form with planning and legal officers.

The Chair adjourned the meeting to enable the respective parties to withdraw from the Chamber in order to draw up the statement of reasons.

The meeting was reconvened at 8.55pm.

The Chair apologised to Committee for the length of the adjournment due to technicalities, and the Planning Solicitor recited the recently produced decision and reasons for approval as follows:-

That planning application number 17/1573 be delegated to the Head of Planning, Engineering & Transportation to grant permission subject to conditions and a Section 106 Agreement, subject to completion of satisfactory surveys relating to bats and redstarts, limestone surveys and securing appropriate offsite parking and to return to Committee in the event that the results of the surveys are not satisfactory or that offsite parking is not secured.

Reasons

That the proposed development will deliver much needed housing

1. subject to the submission of revised plans to demonstrate that there will be no significant additional impacts to shading to adjoining and nearby neighbours, open space or Wharfingers Cottage
2. subject to the submission of reports for bats and black redstarts being satisfactory and detailing appropriate mitigation which can be protected by means of condition
3. without unacceptable harm to neighbouring amenity by reason of scale and mass having regard to the scale and mass of neighbouring residential development and the art gallery
4. subject to the submission of reports to demonstrate that the stability of the land is suitable to support the proposed development to that the ground can be made stable to support the proposed development without requiring an amendment to the planning application
5. subject to securing a satisfactory level of parking either on site or off site to support the development which does not exacerbate existing parking issues in the locality or would restrict free flow of traffic along the public highway without requiring an amendment to the planning application
6. subject to securing the ongoing maintenance of the proposed on site attenuation floor storage along with proposed green/brown roof areas for ecology and any appropriate ecological mitigation

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

Resolved

That planning application number 17/1573 be delegated to the Head of Planning, Engineering & Transportation to grant permission subject to conditions and a Section 106 Agreement, subject to completion of satisfactory surveys relating to bats and redstarts, limestone surveys and securing appropriate offsite parking and to return to Committee in the event that the results of the surveys are not satisfactory or that offsite parking is not secured.

Reasons:-

That the proposed development will deliver much needed housing

1. subject to the submission of revised plans to demonstrate that there will be no significant additional impacts to shading to adjoining and nearby neighbours, open space or Wharfingers Cottage
2. subject to the submission of reports for bats and black redstarts being satisfactory and detailing appropriate mitigation which can be protected by means of condition
3. without unacceptable harm to neighbouring amenity by reason of scale and mass having regard to the scale and mass of neighbouring residential development and the art gallery
4. subject to the submission of reports to demonstrate that the stability of the land is suitable to support the proposed development to that the ground can be made stable to support the proposed development without requiring an amendment to the planning application
5. subject to securing a satisfactory level of parking either on site or off site to support the development which does not exacerbate existing parking issues in the locality or would restrict free flow of traffic along the public highway without requiring an amendment to the planning application
6. subject to securing the ongoing maintenance of the proposed on site attenuation floor storage along with proposed green/brown roof areas for ecology and any appropriate ecological mitigation

Councillor Perry left the Chamber at this juncture of the meeting.

Councillor Jones returned to the Chamber.

1949/18 **Plans list item 12 – application number 17/1609 – conversion from single dwelling to 2 self contained flats at 14 Proffitt Close, Walsall, WS2 8BD**

The Presenting 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 Robertson, who spoke in objection to officers recommendations.

Councillor Robertson advised Committee of the noise, anti-social behaviour and inconsiderate on-street parking inflicted upon the neighbours generated by the occupants of the house in question.

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

Mr. Miah informed Committee the dwelling for consideration was currently vacant and that the applicant had lived within the area all his life and would ensure he had good, long term tenants at the property.

There then followed a period of questioning by Members in relation to reports of anti-social behaviour, relocation of a lamp post across the driveway of the development and the fallback position for the applicant.

In response, the Planning Group Manager advised that the dwelling could be used as a small HMO as a fallback position for the applicant should Members be minded to refuse the application, whereas an approval would include a condition to prevent any future change from the proposed flats to a HMO. He added that neither the Police nor the Community Safety Officer had any objections, and he reported of a recently dismissed appeal whereby crime levels could not be proven as a mitigating factor in the refusal of an application. He emphasised to Members they would have to be very clear should they be minded to refuse the application and he reminded Members of the Government's monitoring of Walsall's applications and that he believed the Council would have limited grounds to be successful on appeal.

The Committee proceeded to discuss the application further and Councillor Rochelle moved:

That planning application number 17/1609 be granted, in accordance with the officers report.

The Motion was not seconded.

Councillor Bird then **moved** and it was duly **seconded** by Councillor Underhill

That planning application number 17/1609 be deferred for up to two cycles to secure the removal of the lamppost and that residents be consulted upon with regard to the satisfactory relocating of the street light

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 17/1609 be deferred for up to two cycles to secure the removal of the lamppost and that residents be consulted upon with regard to the satisfactory relocating of the street light

Councillors Nawaz and Ward left the Chamber.

1950/18 **Plans list item 10 – application number 16/0138 – erection of 3 detached 4 bed, two storey houses on land at rear of 142-144 Whetstone Lane, Aldridge, Walsall, WS9 0EZ**

The Presenting 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, Mr. Spooner, who spoke in objection to officers recommendations.

Mr. Spooner advised Committee that the application had been under consideration since January 2016 and that the applicant had heard nothing for 18 months following the provision of information pertaining to parking and tree splays as had been requested by officers. He further advised of a similar, approved development within the lane.

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

Mrs Felton stated she lived next to the proposed development and that the proposed road would cross over her driveway and would result in congestion issues.

The Committee then welcomed the third speaker on this application, Mrs White, who also wished to speak in support of officers recommendations.

Mrs White stated that she lived behind the proposed development and as the gardens are elevated, her property would be overlooked and which would lead to the devaluation of her property..

There then followed a period of questioning my Members in relation to time scales, proposed access and numbers of protected trees.

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

That planning application number 16/0138 be refused, in accordance with the report and supplementary paper now submitted.

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

Resolved

That planning application number 16/0138 be refused, in accordance with the report and supplementary paper now submitted.

Councillor Ward returned to the Chamber.

Councillor Worrall left the Chamber.

1951/18 **Plans List Item 9 – application number 17/1546 – construction of 3 no detached dwellings and associated access, parking and garaging at land to rear of 24-28 Chester Road North, Brownhills, Walsall, WS98 7JP**

Councillor Perry, in view of the fact that he had declared an interest in this item, left the Chamber and therefore did not take part in the discussions nor vote on this application.

The Presenting Officer advised Committee of the background to the report now submitted and advised Committee the report was published for 1 March, 2018 Committee which was cancelled due to inclement weather.

(see annexed)

The Committee then welcomed the only speaker on this application, Mr. Barnes, who spoke in objection to officers recommendations.

Mr. Barnes stated the proposed design of the application would create its own character with access provided between houses, there would be no habitable boundaries and that the site was in a sustainable location.

There were no questions to the speaker but questions were raised with officers regarding the adequacy of the width of the proposed access drive and whether the sizes of the gardens of the proposed dwellings complied with policy.

The Committee proceeded to discussed the application further and Councillor Craddock **moved** and it was duly **seconded** by Councillor Hazell:-

That planning application number 17/1546 be refused, in accordance with the report now submitted.

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

Resolved

That planning application number 17/1546 be refused, in accordance with the report now submitted.

1952/18 **Plans list item 11 – application number 17/0979 – proposed re-development of existing former car park to public house to consist of the erection of 4 no. 5 bedroom dwellings, installation of public greenway route, improvements to existing boundary treatments and landscape works at The Sneyd, 67 Vernon Way, Bloxwich, Walsall, WS3 2LU**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted. The report was published for 1 March, 2018 Planning Committee, which was cancelled due to inclement weather.

(see annexed)

The Committee then welcomed the only speaker on this application, Councillor Andrew, who spoke in objection to officers recommendations.

Councillor Andrew said the current site was a magnet for anti-social behaviour and fly tipping which was not being addressed by the current owner. He added that the surrounding area consisted of other bespoke properties and development on the site would improve surveillance for not only the site but for other nearby properties.

There were no questions to the speaker.

There then followed a period of questioning by Members to officers, which included whether the site should be considered as a non conforming use of green belt land and whether a re-development would trigger a S.106 contribution.

In response, officers confirmed the green belt designation was to prevent the sprawl of dwellings harming the openness of the area, S.106 contributions would not be triggered on a development of less than 10 dwellings and that Walsall Council was providing the number of required housing within the borough.

The Committee proceeded to discuss the application further, which included how the original car park was a non-conforming use of green belt land and preference would be to tidy the area and Councillor Bird **moved** and it was duly **seconded** by Councillor Ward:-

That planning application number 17/0979 be deferred for officers to discuss reasons for approval.

The Planning Group Manager advised Committee of Council Policy whereby when an application is deferred, reasons for deferral must be provided and he stated that with reference to the application under consideration, Committee was required to provide adequate reasons to argue why buildings would not intrude on the openness of the current car park, which was a flat structure and which currently conformed with green belt policy.

Councillor Bird **amended** his Motion and this was duly **seconded** by Councillor Underhill:-

That planning application number 17/0979 be deferred to enable further discussions with officers to examine reasons for the use of the land.

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

Resolved

That planning application number 17/0979 be deferred to enable further discussions with officers to examine reasons for the use of the land.

Councillor Worrall returned to the Chamber.

1953/18 **Plans list item 14 – application number 17/0159 – proposed two storey front and rear extension, side extension along with a single storey outbuilding in rear garden (games room) at 51 Brookhouse Road, Walsall, WS5 3AE**

The Presenting Officer advised Committee of the background to the report now submitted.

(see annexed)

The Committee then welcomed the first speaker on this application, Mr. Hackett, who spoke in objection to officers recommendations.

Mr. Hackett said he lived next door to the application address. He said the application in question was the third attempt for an outbuilding within the garden as other applications had been withdrawn or rejected and he added that all of the applications had attracted opposition from a number of neighbours on both sides of the application address. Mr. Hackett also said it had been suggested that the outbuilding was to be a bungalow within the back garden.

The Committee then welcomed the second speaker on this application, Mrs Kaur, who spoke in support of officers recommendations.

Mrs Kaur stated there were four children living at the family home and the outbuilding would be a games room which would not affect anyone's outlook as the end of the garden was surrounded by conifer trees. She added that she would be happy to have a restriction precluding anyone from living within the outbuilding.

There then followed a period of questioning by Members, following which Members discussed the application further and Councillor Ward **moved** and it was duly **seconded** by Councillor Bird:-

That planning application number 17/0159 be granted, subject to conditions as contained within the report now submitted

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

Resolved

That planning application number 17/0159 be granted, subject to conditions as contained within the report now submitted

1954/18 **Plans list item 16 – application number 17/1528 – two storey side and rear extension plus front porch at 132 Whetstone Lane, Aldridge, Walsall, WS9 0EZ**

The Presenting Officer advised Committee of the background to the report and supplementary paper now submitted. The report was published for 1 March, 2018 Planning Committee, which was cancelled due to inclement weather. (see annexed)

The Committee then welcomed the first speaker on this application, Mr. Perry, who spoke in objection to officers recommendations.

Mr. Perry informed Members there were already 8 mismatched extensions within the street scene, with 5 similar extensions having been approved, he did not feel the application would be detrimental to the light or amenity of the neighbouring property and that the neighbouring property had not obtained planning permission for their side window.

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

Councillor Andrew commented of a need to enable young families to remain within the area, as Aldridge had an aging population. He added that he lived within the immediate area of the application and he confirmed that most houses were of bespoke designs.

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

Mr. Jones said he lived next door to the house in question and he felt the front and side extensions would protrude and have a detrimental impact on the shadowing of his home, it would be visually out of keeping and out of character and would block the only window to a bedroom which was positioned on the side of his house.

There were no questions to the speakers nor to officers.

The Committee proceeded to discuss the application further, which included how the extensions would appear overbearing and out of character and Councillor Bird **moved** to defer the application for a cycle to address issues. The Motion was not seconded.

The Planning Group Manager advised Committee that the design of the application was fundamentally the key reason for refusal due to the impact the closeness of a proposed side extension would have upon the habitable bedroom window of the neighbouring property.

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

That planning application number 17/1528 be refused in accordance with the report and supplementary paper now submitted

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

Resolved

That planning application number 17/1528 be refused in accordance with the report and supplementary paper now submitted

Councillor Bird and Councillor Hazell left the Chamber.

- 1955/18 **Plans list item 3 – application number 17/1699 – retention of two linked B8 units (for storage and distribution) with covered area in between with sliding panels and roller shutters to opening on land off Longacres, Willenhall, WV13 2JS**

Resolved

That planning application number 17/1699 be delegated to the Head of Planning, Engineering and Transportation to grant permission, subject to conditions and subject to resolving Coal Authority, Pollution Control and Flood Risk Officers objections and subject to no further representations raising new material issues.

It these issues cannot be resolved within the 13 week target date of 23 April or an alternative date to be agreed in advance through an extension of time agreement, then delegated powers be given to the Head of Planning, Engineering and Transportation to refuse the planning application.

- 1956/18 **Plans list item 4 – application number 17/0992 – outline application for commercial development of the site for B1, B2 & B8 uses (approx 18,500 sq.m floor space) with access only for determination (adjacent to public right of way WAL44) on land West Walsall Retail Park, Reedswood, Bloxwich**

Resolved

That planning application number 17/0992 be delegated to the Head of Planning, Engineering and Transportation to grant permission, subject to conditions subject to resolving Coal Authority objections and any relevant amended conditions as contained within the report and supplementary paper now submitted

- 1957/18 **Plans list item 6 – application number 16/0290 – outline application to seek approval of main vehicle access off King Charles Avenue only, all other matters reserved on land corner of King Charles Avenue, Bentley**

This item was deferred from Planning Committee of 1st February to consider impacts on street parking serving the church opposite and potential relocation of vehicle access nearer to Pugh Crescent.

Resolved

That planning application number 16/0290 be delegated to the Head of Planning, Engineering and Transportation to grant outline consent subject to conditions and subject to completion of a section 106 agreement for open space, affordable housing provision and site management, as contained within the report now submitted.

- 1958/18 **Plans list item 7 – application number 18/0028 & 18/0125 – replacement flat and tiled roof areas and windows and new external roof mounted plant deck at Walsall Council Central Library, Lichfield Street, Walsall, WS1 1TR**

Resolved

That planning application number 18/0028 and application number 18/0125 be granted, subject to conditions AND to approve Listed Building Consent subject to conditions, as contained within the report and supplementary paper now submitted.

- 1959/18 **Plans list item 8 – application number 18/0054 – replacement of 6 external illuminated fascia signs and 1 illuminated totem sign at Morrisons PLC, Anchor Road, Aldridge, Walsall, WS9 8PT**

Resolved

That planning application number 18/0054 be granted, subject to conditions and no new material considerations which cannot be mitigated for by condition following further consultation, as contained within the report now submitted.

- 1960/18 **Plans list item 13 – application number 17/1390 – first floor front extension (re-submission of 09/0635/FI) at 31 Rutter Street, Walsall, WS1 4HN**

This item had been deferred for two cycles, as reported by the Chair at the commencement of the plans list items.

1961/18 **Plans list item 15 – application number 18/0010 – part retrospective porch entrance and garage conversion at 4A, Foley Church Close, Streetly, B74 3JX**

Resolved

That planning application number 18/0010 be granted, subject to conditions as contained within the report and supplementary paper now submitted.

Termination of meeting

There being no further business, the meeting terminated at 10.40pm

Signed

Date