

## **PLANNING COMMITTEE**

**Thursday, 28<sup>th</sup> June 2012 at 5.30 p.m.**

### **Present**

Councillor Perry (Chairman)  
Councillor Bird (Vice-Chairman)  
Councillor Ali  
Councillor R. Andrew  
Councillor Azam  
Councillor Cook  
Councillor Creaney  
Councillor Harris  
Councillor Rochelle  
Councillor Sarohi  
Councillor I. Shires  
Councillor Thomas  
Councillor Wade  
Councillor Westley

3120/12

### **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors P. Bott, Ditta, Douglas-Maul, S. Fitzpatrick and Jeavons.

Councillor Underhill having not attended the member planning training at that point did not take part nor vote at the meeting.

3121/12

### **Minutes**

#### **Resolved**

That the minutes of the meeting held on 31<sup>st</sup> May 2012 at 5.30 p.m, copy having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record subject to the following amendment:-

That page number 1 Councillor Whyte's name be deleted from the members present and substituted with Councillor Wade.

3122/12

### **Declarations of Interest**

Councillors Ali, Andrew and Harris all declared a personal and prejudicial interest in item number 1 on the plans list application number 12/0537/FL in relation to a Variation of condition 22 of planning permission 09/1130/OL (Hours of working) to allow Saturday morning working between 08.00 and 14.00 in addition to current working hours at Grace

Academy, Herberts Park Road, Darlaston, Wednesbury WS10 8QJ. The item had been discussed at Cabinet.

Councillor Bird declared a personal and prejudicial interest in item No. 2 on the plans list, application number 12/0503/FL in relation to the erection of a new building for the purpose of warehousing on behalf of the Council.

Councillor Westley declared a personal and prejudicial interest in item number 12 on the plans list application number 12/0418/FL in relation to Part Retrospective: Kitchen extension.

3123/12      **Deputation and Petitions**

There were no deputations introduced or permissions submitted.

3124/12      **Local Government (Access to Information) Act 1985 (as amended)**

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

3125/12      **Item 6. Demolition of existing factory units and erection of 12 dwellings (4 x 2 bed, 6 x 3 bed and 2 x 4 bed) at Revival Street, Walsall application No. 08/1955/FL**

Report of the Head of Planning and Building Control was submitted.

(see annexe)

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

To revise the Section 106 Agreement to waive the education contribution of £30,207.90 and the open space contribution of £23,290.00, subject to developers completing all construction within 18 months.

**Resolved (unanimously)**

To revise the Section 106 Agreement to waive the additional contribution of £30,207.90 and the open space contribution of £23,290.00, subject to developers completing all construction within 18 months.

3126/12

### **Application List for permission to develop**

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

(see annexed)

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

3127/12

### **Item No 7 – 12/0322/FL - Refurbishment of existing industrial units for B1, B2 and B8 uses; Change of use of Unit 2 to a go-karting centre; Conversion of Units 4 and 5 to vehicle repairs and MOT station with renovation of front elevation; Reconstruction of unit 3 to provide ancillary facilities to Unit 2 and a laser centre.**

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

(see annexed)

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

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

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

The Committee then welcomed the fourth speaker on this application Mrs Kaur, who also spoke in support of the application.

There then followed a period of questioning by Members to the speakers and officers which included how much and how long the activity sessions would be; who were the anticipated target audience; what had been the findings of officers who had visited similar developments outside of Walsall borough; who had been consulted in relation to the application; whether this development would cause traffic congestion around the area and why the application should be allowed on core industrial land.

In response it was stated:

- The go-karting sessions would cost approximately £15.00 for 15 minutes, the laser centre would cost approximately £4.00 per session; and the activities would be aimed at all user groups to ensure that the development is viable;
- Officer confirmed they had visited a similar development in Coseley, and Dudley Council had confirmed they had received no complaints in relation to that centre;
- Officers stated there would be less traffic than the previous use of the site;
- Consultation letters had been sent to occupants of the nearby flats and neighbouring properties, of which only one objection had been received;
- The developers had been unable to identify alternative land within the Town Centre and officers felt the application would not be detrimental to the employment site and the industrial use would not be lost and would revert back.

The Committee then proceeded to discuss the application further which included:

- A thorough investigation had been made by officers in relation to noise and pollution and that the centre may alleviate some illegal biking and karting activities;
- The centre would cause a loss of designated core industrial land; it was an inappropriate area for the proposal due to causing pollution and an increase in vehicle movement, and be detrimental to the local residents peace and quiet;
- The centre would create much needed employment and leisure activities.

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

That planning application number 12/0322/FL be granted subject to the amendment of condition 11 of the opening hours for leisure uses from 10.00 am to 8.00 pm.

The Motion having been put to the vote was declared **carried** with eleven Members in favour of approval and three Members against.

### **Resolved**

That planning application number 12/6322/FL be granted subject to the amendment of condition 11 of the opening hours for leisure uses from 10.00 am to 8 pm.

Councillors Rochelle, Cook and Shires requested their names to be recorded as voting against approval.

**3128/12      Item No. 3 - 07/1535/FL/E11 - Demolition of former Public House and construction of 58 Flats at former Warrener's Arms Public House, High Street/Ogley Road, Brownhills, Walsall**

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

(see annexed)

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

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

There then followed a period of questioning by Members to the speakers and officers including whether the applicant would be prepared to provide £130,000 for a solution to the traffic problems at the junction of Ogley Road and High Street to alleviate highway concerns and whether the applicant would revisit the plans in relation to the building line.

In response the speaker stated the applicant would be prepared to revisit the application in light of Member's requests and to engage with officers.

The Committee then proceeded to discuss the application further in relation to the District Valuer's conclusion that the scheme is viable.

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

That planning application number 07/1535/FL/E11 be granted subject to conditions and a Section 106 Agreement to secure contributions up to £130,000 for either affordable housing, urban open space or a signalled junction.

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

**Resolved**

That planning application number 07/1535/FL/E11 be granted subject to conditions under Section 106 Agreement to secure contributions up to £130,000 for either affordable affordable housing, urban open space or signalled junction.

At this juncture in the meeting Councillor Wade left the room and did not return.

3129/12

**Item No. 6 - 12/0187/FL - Demolition of existing greenhouses and dilapidated brick built stores and construction of 3 new detached dwellings on land adjacent to 830 Chester Road, Aldridge.**

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

(see annexed)

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

There then followed a period of questioning by Members to the speaker and officers including whether the new dwellings would enhance the green belt area compared to the derelict green houses and steel storage type buildings currently on the land.

The Committee proceeded to discuss the application in detail including the green houses and steel building at the rear of the land were an eyesore on the green belt and whether suitable conditions could be added to the development application.

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

That planning application number 12/0187/FL be granted subject to appropriate conditions that the development will not commence until the applicant has removed all of the buildings on the adjacent land.

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

**Resolved**

That planning application number 12/0187/FL be granted subject to appropriate conditions that the development will not commence until the applicant has removed all of the buildings on the adjacent land.

Councillor Rochelle requested that his name be recorded as voting against the motion.

3130/12

**Item No. 12 - 12/0418/FL – Part Retrospective: Kitchen extension at 2 Marlborough Street, Walsall, WS3 2HZ**

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

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

There then followed a period of questioning by Members to the speakers and officers including whether the application could be amended to alleviate neighbours objections.

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

That planning application number 12/0418/FL be deferred to allow officers to negotiate settlement in line with Committee recommendations to avoid overlooking of neighbourhood properties.

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

**Resolved**

That planning application number 12/0418/FL be deferred to allow officers to negotiate settlement in line with the committee recommendations to avoid overlooking of neighbourhood properties.

3131/12

**Item No 1 - 12/0537/FL – Variation of condition 22 of planning permission 09/1130/01 (hours of working) to allow Saturday morning working between 08.00 and 14.00 in addition to current working hours at Grace Academy, Herberts Park Road, Darlaston, Wednesbury, WS10 8QJ**

Councillors Ali, Andrew and Harris had all declared an interest in this item and therefore did not vote.

**Resolved**

That planning application number 12/0537/FL be granted, subject to conditions and set out in the report and supplementary paper now submitted.



3132/12      **Item No 2 –12/0503/FL - Electrium Point - Erection of new building for the purpose of warehousing to receive store and distribute aids and adaptations and make minor repairs. Associated office space and assessment areas at Ashmore Lake Way, Willenhall, WV12 4HD**

**Resolved**

That planning application number 12/0503/FL be granted, subject to conditions and set out in the report and supplementary paper now submitted.

3133/12      **Item No 4 - 12/0506/FL – Variation of condition 11 of permission 11/1576/FL to substitute House Types on plots 3, 4, 5 and 10 at The Limes, Linley Road, Walsall, WS4 1HL**

**Resolved**

That planning application number 12/0506/FL be granted subject to conditions and a Deed of Variation as set out in the report and supplementary paper now submitted.

3134/12      **Item No 5 - 12/0495/FL – Variation of condition 10 of planning permission 10/242/FL and planning permission 10/0764/FL to allow the preparation for recycling of lead acid batteries as an addition to the products previously approved for recycling and reclamation at Former Mason's Woodyard, Land Between Railway and Rosehill, Willenhall, WV13 2AP**

**Resolved**

That planning application number 12/0495/FL be granted subject to the condition set out in the report and supplementary paper now submitted.

3135/12      **Item No 8 – 11/0570/FL – New dormer bungalow at rear of 454 Sutton Road, Walsall, WS5 3AZ**

**Resolved**

That planning application number 11/0570/FL be granted subject to the condition set out in the report and supplementary paper now submitted.

3136/12      **Item No 9 – 12/0533/FL - Proposed Residential Development comprising three 3 bedroom terraced properties with external amenity including two parking spaces, patio/lawn areas and terraces to each dwelling at land adjacent No. 178, Hall Lane, Walsall Wood, WS9 9AR**



**Resolved**

That planning application number 12/0533/FL be granted subject to the condition set out in the report and supplementary paper.

- 3137/12      **Item No 10 - 12/0359/FL - Installation of 4 air conditioning units to rear back yard at Co-Op Food Store, 35 Liskeard Road, Walsall, WS5 3EY**

**Resolved**

That planning application number 12/0359/FL be granted subject to the condition set out in the report.

- 3138/12      **Item No 11 – 12/0005/FL - Demolition of side extension to existing dwelling and erection of a new detached 3 bed dwelling at 12 Mulberry Place, Walsall, WS3 2NF**

**Resolved**

That planning application number 12/0005/FL be granted subject to no new material planning objections being received from the land owners on expiry of the notification period..

- 3139/12      **Private Session**

**Exclusion of Public**

**Resolved**

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

**Summary of Item considered in private session**

3140/12

**74,75, 76 Stafford Street, Willenhall (often referred to as Dainty's) –  
Report of Head of Planning and Building Control**

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

The Committee considered the report and approved the recommendations contained therein, and to update the Planning Committee at each meeting in private session for the next eight months.

(Exempt information under Paragraph 6 of Part 1 of Schedule 12A of the Local Government Act, 1972) (as amended)

**Termination of meeting**

There being no further business the meeting terminated at 8.30 p.m.

Signed: .....

Date: .....