

DEVELOPMENT CONTROL COMMITTEE

Tuesday 3 April 2007 at 6.00 p.m.

In the Council Chamber at the Council House Walsall

Present

Councillor Mike Bird (Chairman)
Councillor Leslie Beeley (Vice-Chairman)
Councillor Dennis Anson
Councillor Clive Ault
Councillor Brian Douglas-Maul
Councillor Anthony Harris
Councillor Bill Madeley
Councillor Cath Micklewright
Councillor Jon Phillips
Councillor Melvin Pitt
Councillor Rob Robinson
Councillor John Rochelle

1375/07 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Mohammed Arif, Arthur Bentley, Rose Burley, John Cook, David Turner, Mohammad Yasin and Zahid Ali.

1376/07 **Minutes**

Resolved

That the minutes of the meeting held on 13 March 2007, a 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 amendments:-

Minute No. 1358/07:

Page 4: The sentence "Councillor Burley left the meeting during consideration of the item" being deleted.

Minute No. 1357/07:

Page 4: Reference to Councillor Douglas-Maul, having left the meeting during consideration of the item, being deleted.

Minute No. 1359/07:

Page 7: That it be noted that Councillor Douglas-Maul, having left the meeting during consideration of the item, did not vote or take part in the discussion.

1377/07 **Declarations of Interest**

There were no declarations of interest.

1378/07 **Deputations and Petitions**

There were no deputations introduced or petitions presented at this meeting.

1379/07 **Late Items**

There were no late items

1380/07 **Local Government (Access to Information) Act, 1985 (as amended)**

Resolved

There were no items on the agenda for the meeting in respect of which the Committee considered that publicity would be prejudicial to the public interest by reason of the confidential nature of the business.

1381/07 **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 with the items on the agenda where the members of the public had previously indicated that they wished to address the Committee.

1382/07 **Item No.1 - 07/0046/WA/E1 – Planning application and Environmental Statement to amend Conditions 27, 42, 43, 48 and 50 of planning permission B.C.48719P dated 9 July 1997, and the development details, in particular, the provision of information regarding the waste types imported to restore the site to wet and deciduous woodland, grassland and a waterbody with public access at Highfields South Quarry, Walsall – Cory Environmental (Central) Limited**

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

The Committee welcomed Jenny Doyle, who wished to speak in support of the application.

Jenny stated that she was happy with the Officer's report and would answer any questions from Members.

The Committee proceeded to discuss the application in detail. Some Councillors stated that they were delighted with the application and sought clarity from Officers that systems were in place to remove any gasses that may be emitted from the site.

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

That planning application no. 07/0046/WA/E1 be approved, subject to the conditions, as contained in the report now submitted and the following additional requirement:-

That Officers be authorised to make minor amendments to conditions to ensure that the benefits of the application are maximised.

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. 07/0046/WA/E1 be approved, subject to the conditions, as contained in the report now submitted and the following additional requirement:-

That Officers be authorised to make minor amendments to conditions to ensure that the benefits of the application are maximised.

1383/07 **Item No. 2 – 07/0084/FL/W7 – Erection of 44 dwellings and associated works following demolition of existing industrial buildings at Willenhall Tube and Forging Co. Limited, Bentley Lane, Walsall – Cala Homes (Midlands) Limited.**

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

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

Mr. Whitehouse stated that he represented various residents from Basalt Road and Bentley Lane. The overriding concern was subsidence and he indicated that the gable end of plot 13 of the proposed development was less than 1 metre away from the retaining wall. He stated that, in his view, the wall maintained ground stability for the existing properties. He feared the stability of those properties would become questionable during construction of the new buildings, thus affecting residential amenity. He

urged the Committee to request a greater separation distance between plot 13 and the retaining wall. He further stated that the layout of the proposed development was ill conceived and over intensive. In closing, Mr. Whitehouse stated that he had further concerns regarding highway safety and flooding.

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

Mr. Bellamy stated that the scheme was very good and confirmed that they would do their utmost to ensure the boundary wall would not be damaged during construction. The wall did not ensure stability for the existing houses, however, they would be working under “the Party Wall Act”. With regard to highway issues, Mr. Bellamy stated that the access and egress to the site were situated following advice from the Council. In closing, Mr. Bellamy stated that the development was in a sustainable location and met Council policies.

There then followed a period of questioning by Members in relation to outlook from existing houses, potential flood risks should the new development be approved, the number of affordable housing on the site and the impact of the development on the street scene.

The Committee proceeded to discuss the application in detail.

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

That planning application no. 07/0084/FL/W7 be approved, subject to the conditions, as contained in the report now submitted, a planning obligation and the following additional condition:-

That developers investigate the structural integrity of the retaining wall and report this to the Council ensuring that any works required be carried out to ensure its future integrity.

The motion, having been put to the vote, was declared **carried**; with 7 Members voting in favour of the application and 1 against.

Resolved

That planning application no. 07/0084/FL/W7 be approved, subject to the conditions, as contained in the report now submitted,. a planning obligation and the following additional condition:-

That developers investigate the structural integrity of the retaining wall and report this to the Council ensuring that any works required be carried out to ensure its future integrity.

Councillor Jon Phillips requested that his name be recorded as voting against this application.

- 1384/07 **Item No. 3 – 07/0062/FL/E11 – Demolition of existing building and development of two new industrial buildings (to accommodate 6 individual units) for Class B1b/c, B2 or B8 purposes at former Corby Windows Site, Middlemore Lane West, Redhouse Industrial Estate, Aldridge, Walsall – Shaylor Developments Limited**

Resolved

That planning application no. 07/0062/FL/E11 be approved, subject to conditions as contained in the report now submitted.

- 1385/07 **Item No. 6 – 07/0017/RM/E12 – Reserved Matters: Erection of no. 2 semi-detached bungalows at 66 Brook Lane, Walsall Wood, Walsall – Alexander John Commercial Limited**

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

The Committee welcomed Mary Long, who wished to speak in objection to the application. She could not understand why there was a need for an entrance from Thornbridge Grove. She stated that Thornbridge Grove would lose parking spaces. A 6ft fencing was in place and at the proposed access which would affect visibility splays for those accessing and egressing the site. She explained that the Grove was very busy and a lot of disabled people lived there whom didn't want the access. In closing, she suggested that there was nowhere to put the bins as Thornbridge Road was a private drive.

There then followed a period of questioning by Members in relation to the design of the application.

The Committee proceeded to discuss the application in detail.

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

That planning application no. 07/0017/RM/E12 be refused as the massing was not compatible with existing designs in the area and elevations were not in keeping with neighbouring properties.

Resolved

That planning application no. 07/0017/RM/E12 be refused as the massing was not compatible with existing designs in the area and elevations were not in keeping with neighbouring properties..

Councillor Jon Phillips, having left the meeting during consideration of this item, did not take part or vote.

1386/07 **Item No. 4 – 07/0022/FL/W5 – Construction of B1, B2 and B8 Light Industrial/Warehouse building with car parking at former Pleck Gas Works, Regal Drive, Walsall – St. Mowden Developments Limited**

Resolved

That planning application no. 07/0022/FL/W5 be approved, subject to the conditions as contained in the report and supplementary paper now submitted.

1387/07 **Item No. 5 – 07/0039/FL/E12 – Construction of new two storey dwelling with double garage and access to Kingshayes Road on land corner of Lazy Hill Road/Kingshayes Road, Walsall – Mr. J. Evans**

Resolved

That planning application no. 07/0022/FL/E12 be approved, subject to the conditions as contained in the report and supplementary paper now submitted.

1388/07 **Item No. 7 – 07/0294/FL/E9 – Substitution of house types on previous planning approval 06/1116/FL/E9 to provide a master bedroom and ensuite facilities within the roof space on plots 3, 4, 5 & 6 and an additional bedroom and ensuite within the roof space of plot 1 for the first floor apartment on land and nos. 15/17 Romey Way, Great Barr, Walsall – Hamlet New Homes Limited**

Resolved

That planning application no. 07/0294/FL/E9 be approved, subject to the conditions as contained in the report now submitted.

1389/07 **Confirmation of Tree Preservation Order No. 58 of 2006
Re: Land at 63 Mellish Road, Walsall**

The report of the Head of Regeneration – Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That the Committee confirms Tree Preservation Order No. 58 of 2006 in respect of the tree situated on land at 63 Mellish Road, Walsall, in an unmodified form;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that no representations had been received in respect of this Tree Preservation Order;

1390/07 **Confirmation of Tree Preservation Order No. 60 of 2006
Re: Land to rear of Blenheim Road, Ludlow Close and Bridgnorth Grove, Willenhall**

The report of the Head of Regeneration – Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That the Committee confirms Tree Preservation Order No. 60 of 2006 in respect of trees situated on land to the rear of Blenheim Road, Ludlow Close and Bridgnorth Grove, Willenhall, in an unmodified form;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that two representations have been received in respect of this Tree Preservation Order;

1391/07 **Confirmation of Tree Preservation Order No. 62 of 2006**
Re: Land at 55-57 Walsall Road, Darlaston

The report of the Head of Regeneration – Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That the Committee confirms Tree Preservation Order No. 62 of 2006 in respect of trees situated on land at 55-57 Walsall Road, Darlaston, in an unmodified form;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that no representations had been received in respect of this Tree Preservation Order.

1392/07 **Confirmation of Tree Preservation Order No. 63 of 2006**
Re: Land at 24 Alnwick Road, Bloxwich, Walsall

The report of the Head of Regeneration – Delivery and Development was submitted:-

(see annexed)

Resolved

- (1) That the Committee confirms Tree Preservation Order No. 63 of 2006 in respect of trees situated on land at 24 Alnwick Road, Bloxwich, Walsall, in a modified form;
- (2) That the Committee supports the reasons for making the Tree Preservation Order as set out in paragraph 1.1 of the report now submitted;
- (3) That the Committee notes that one representation had been received in respect of this Tree Preservation Order.

Termination of Meeting

There being no further business, the meeting terminated at 7.20 p.m.

Chairman:

Date: