

**Minutes of the Planning Committee held in The Council Chamber, Walsall  
Council House**

**Thursday 25 July 2024 at 5.30pm**

**Committee Members present:**

Councillor M. Statham (Chair)  
Councillor J. Murray (Vice Chair)  
Councillor B. Bains (arrived 6:13pm)  
Councillor H. Bashir  
Councillor M.A. Bird  
Councillor S. Elson  
Councillor P. Gill  
Councillor A. Hussain  
Councillor I. Hussain  
Councillor K. Hussain  
Councillor R. Martin  
Councillor L. Nahal  
Councillor A. Nawaz  
Councillor A. Parkes  
Councillor S. Samra  
Councillor G. Singh-Sohal  
Councillor V. Waters

**Officers Present:**

|             |   |
|-------------|---|
| N. Alcock   | Solicitor   |
| M. Brereton | Head of Planning and Building Control                   |
| K. Gannon   | Development Control and Public Rights of Way<br>Manager |
| S. Hewitt   | Senior Planning Officer                                 |
| S. Hollands | Team Leader Development Management                      |
| D. Holloway | Planning Policy Manager                                 |
| O. Horne    | Senior Planning Officer                                 |
| I. Jarrett  | Principal Environmental Protection Officer              |
| G. Meaton   | Group Manager – Planning                                |
| R. Rowley   | Senior Planning Officer                                 |
| H. Smith    | Principal Planning Officer                              |
| S. Wagstaff | Team Leader Development Management                      |
| L. Wright   | Senior Planning Officer                                 |
| E. Cook     | Democratic Services Officer                             |
| L. Cook     | Assistant Democratic Services Officer                   |

## 125 **Apologies**

Apologies were received from Councillor Margetts.

## 126 **Declarations of Interest**

The following declarations of interest were received:

- Councillor K. Hussain – Plans List Item 5, 74 Mellish Road – Pecuniary interest
- Councillor Singh Sohal – Plan List Item 4, 89 Belvidere Road – Pecuniary interest
- Councillor Bird – Plans List Items 1a-1d, Buffet Island – Pecuniary interest
- Councillor Samra – Plans List Item 4, 89 Belvidere Road – Non-pecuniary interest which would not affect ability make an impartial decision.
- Councillor I. Hussain – Plans List Item 2, Former Local History Centre – Non-pecuniary interest which would not affect ability make an impartial decision.

## 127 **Deputations and Petitions**

There were no deputation or petitions.

## 128 **Minutes**

A copy of the minutes of the meeting held on 20 June 2024 was submitted.

[annexed]

### **Resolved**

**That the minutes of the meeting held on 20 June 2024, a copy having previously been circulated to each member of the Committee, be approved and signed by the Chair as a correct record subject to the following amendments:**

- **That the penultimate sentence of paragraph 4 of Minute Number 121 (Sandown Quarry) be amended to read: ‘Mr Merckel felt that the traffic flow calculations were fundamentally flawed as material for the landfill came from sites within a defined 30-mile radius with their own travel plans and vehicles would in practice be accessing the site over a shorter period than the hours stated.’**
- **The addition at the end of paragraph 8 of Minute Number 121 (Sandown Quarry) ‘Mr Merckel questioned the accuracy of statements made regarding protecting wildlife and the type of ‘inert materials’ to be used.’**
- **That minute number 123 be amended to reflect that the decision was not unanimous as Cllr Elson did not vote on the item.**

129 **Local Government (Access to Information) Act 1985 (as amended)**

**Exclusion of the Public**

**Resolved**

There were no items for consideration in the private session.

130 **South Staffordshire local plan review - duty to co-operate**

The Planning Policy Manager introduced the report, including information contained within the Supplementary paper.

[annexed]

There was a discussion regarding the responsibilities for meeting the allocations of neighbouring authorities and the effect the reduction of additional housing supply could have on Walsall's green belt. This included discussions regarding potential changes to mandatory housing targets and further planning reform under the new Government.

It was **moved** by Councillor Statham and **seconded** by Councillor Bird and it was;

**Resolved** (unanimously)

**That Planning Committee:**

- 1. Agree the wording set out in appendix 1, subject to the strengthening of wording that Walsall reserves the right to add further objections should they be required following the new Government's position on planning reform and housing targets becoming clear, as a basis for Walsall Council's response to the consultation request from South Staffordshire District Council dated 18 April 2024 on their Local Plan Review (regulation 19 stage), under duty to cooperate.**
- 2. Authorise the Executive Director for Economy, Environment & Communities to submit the council's full response to South Staffordshire District Council in consultation with the Portfolio Holder for Regeneration, with delegated authority given to the Head of Planning and Building Control Services to make amendments to its contents as necessary.**

131 **Application List for Permission to Develop**

The application list for permission to develop (the plans list) was submitted, together with a supplementary report which provided additional information on items already on the plans list.

[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 first. 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.

*Having declared an interest in Plans List Item 4, Councillor Singh-Sohal left the meeting.*

132 **Plans List Item 4 – 24/0337 – 89 Belvidere Road**

The Principal Planning Officer presented the report of the Head of Planning and Building Control, including the additional information contained within the supplementary paper.

[annexed]

There were two speakers against the application, Mr Bal and Mr Bolton, and two speakers in support, Mr Aslam and Ms Khambay.

Mr Bolton asserted that the reasons given for the previous application's refusal had not been addressed; that the application represented an overdevelopment of the plot; and that all residents in the street facing the property had objected. Mr Bal emphasised highways concerns due to the site being a corner plot and its proximity to a school. He added that the previous reasons for refusal remained with the only change being to the boundary wall.

Ms Khambay asserted that there had been substantial changes from the previous application including reduced height of the boundary wall, increased amenity space at the front and the removal of gates. Ms Khambay stated that the height of the property and the vehicular access were unchanged from the existing property; rear-facing windows used obscured glass so would not overlook neighbouring properties; and swept paths had been provided to show safe forward ingress and egress.

Mr Aslam stated that there had been numerous planning officers allocated to the case and amendments had been made throughout in response to subjective recommendations. He asserted that the 45-degree test had been met and that the property was not out of character, with properties in the area being diverse.

*At this point, Councillor Bains entered the meeting.*

Responding to questions from Members, Mr Bolton stated that a previous extension had been built without permission for a window and the obscured windows would overlook the neighbouring property. He added that only the amenity space and boundary walls been amended from the previous application and that the access from Belvidere Road had been a pedestrian gate and with a lamp-post in front.

In response to questions, Mr Aslam asserted that the application was well suited to the site and the applicant had exhausted their options to make the property more acceptable to officers. He stated that the applicant had made numerous changes on subjective matters and that the objective issue of the gates had been resolved.

There followed a period of questions to officers. The Principal Planning Officer clarified that the measure of acceptability regarding overlooking was whether there was a 'sense of overlooking'. There were no conservation objections and those regarding design were considered relative to the immediate local area. The Principal Planning Officer stated that the effect of the development on light would not be significant but the property's bulk and position forward of existing dwellings would dwarf neighbouring properties. The removal of gates could be secured via condition. The Development Control and Public Rights of Way Manager clarified that the principal highways objections were regarding the height of the wall given the site's proximity to a school; the lack of visibility splays; and the inability to support a second entrance.

Debating the application, there was a discussion regarding the efforts undertaken by the applicant to address the officers' objections. It was **moved** by Councillor Bird and **seconded** by Councillor K. Hussain and, upon being put to the vote, it was:

**Resolved** (10 in support, 0 against, 1 abstention)

**That Planning Committee delegate to Head of Planning and Building Control to grant planning permission for application 24/0337, contrary to the officer's recommendation, subject to:**

- **the finalisation of conditions;**
- **the highway authority being satisfied that visibility splays can be achieved for both ingress and egress; and**
- **a condition being included preventing gates being installed at the accesses.**

**The following reasons were provided for going against officers' recommendations:**

- **The body of the report and the reports/surveys referred to therein addressed the majority of the reasons for refusal including the design and access statement, bat report and heritage report;**
- **The development fitted into a large plot and was no different in height to the existing property;**

- **The applicants had made significant alterations to the previously refused scheme and had worked with officers to make amendments.**

*Councillor Bains, having entered the meeting after the item had commenced, did not vote.*

*At this juncture, Councillor Singh Sohal returned to the meeting. Having declared an interest in Plans List Items 1a to 1d, Councillor Bird left the meeting. Having previously registered to do so, Councillor Bird spoke on Plans List Items 1a to 1d as a member of the public and for the duration of the items, sat as a member of the public and not as a member of the Committee.*

### 133 **Plans List Item 1a – 23/0669 – Buffet Island, Queslsett Road**

The Chairman clarified that Plans List Item 1 consisted of four related applications (1a, 1b, 1c and 1d). The four applications would be heard collectively however the votes on each application would be taken individually.

The Team Leader Development Management presented the report of the Head of Planning and Building Control, including the additional information contained within the supplementary paper.

[annexed]

There were two speakers against the application, Councillor Andrew and Councillor Bird, and two speakers in favour, Mr Carpenter and Ms Chapman.

Councillor Bird stated that the application was deemed ‘on balance’ acceptable but that in his view the sequential test was flawed as an alternative nearby site would be more appropriate. He asserted that there was already a highways danger on Collingwood Drive due to four left-turns; that a McDonalds would not be like a pub or restaurant and would result in a constant stream of traffic; and that the proposed development was only 20metres away from properties on Romney Way and would be detrimental to those residents.

Councillor Andrew stated that the pictures of the junction shown, did not reflect how busy the junction was and that people using the restaurant would not ‘park and eat’ as at a traditional restaurant but would make short stops and cause traffic chaos. He added that the site was in close proximity to schools which could exacerbate school-related highway challenges.

Mr Carpenter stated that the application was for a restaurant of similar use to the existing property, adding that he was confident the application accorded with the development plan. Noise, lighting, odour and litter concerns had been addressed and all consultees had confirmed it was acceptable.

Ms Chapman stated that traffic peaks on a weekday mornings and evenings had been assessed with peak trading for McDonalds on Saturday lunchtimes,

not at peak traffic hours. It was estimated that 50-60% of trips would be users already on the road network and that the roundabout had capacity. She asserted that there would be no severe impact on highways and that the maximum number of vehicles, eighteen, in the drive-through area was greater than deemed necessary.

Responding to questions, Councillor Bird stated that existing 20mph speed restrictions were not effectively enforced and there had been requests for traffic calming measures to be installed on Romney Way due to existing highways concerns. He asserted that the site would result in more littering and the proposed lighting would be detrimental to the amenities of existing residents. Councillor Bird stated his view that this was not the most appropriate site, identifying two alternative sites nearby, and that this was an inappropriate development of a destination store in a residential area. 113 objections from residents had been received and the site was also within walking distance of three schools.

Responding to questions, Ms Chapman explained the methodology used to assess the impact of the restaurant on highways and stated that this was consistent with the methodology used for other applications. Data from similar existing McDonalds restaurants was used to predict peak times and was assessed with data from the industry-standard TRICS database to estimate the number of users on the network and potential impact. These surveys often resulted in over-estimations. Surveys were carried out at peak times, with peak McDonalds usage expected to be Saturday lunchtimes. McDonalds-related traffic during the morning highways' peak was estimated at approximately 70 an hour, much lower than at other times and Ms Chapman stated that many of these users would already be on the road network. Ms Chapman added that an uncontrolled pedestrian crossing would be included and that the Council's highways team had not objected to the proposals.

Responding to questions, Mr Carpenter stated that the restaurant would serve the immediate local area of Pheasey and those using the roundabout, which existing stores at Perry Barr and New Oscott could not effectively serve. This would be a 'local' store and could take journeys off the road network who otherwise travelled further. Mr Carpenter stated that the Council did not have a policy regarding the proximity of such restaurants to schools but the restaurant was further than 400m away from schools. He added that the two alternative sites raised by the objectors had been assessed and deemed unsuitable. In response to questions regarding delivery services, Mr Carpenter stated that couriers would be separated from other users in a designated area and McDonalds could negatively review delivery drivers behaving unacceptably. Regarding light pollution and the effect on residents, Mr Carpenter stated that the three associated applications for lighting and signage included full lighting mitigations and the totem would not flash. Deliveries to the store would happen three to five times per week and were all undertaken by one provider.

There followed a period of questions to officers. The Development Control and Public Rights of Way Manager explained that the highways authority was

reliant on the applicant to advise of expected peak times. Much of the data required was provided by the applicant and compared with empirical data for similar existing stores. Based on the information available, the highways authority was satisfied that the development would not have a severe negative impact. All additional information requested had been provided and Birmingham City Council had also raised no objections. Regarding the sequential test, the Planning Policy Manager advised that alternative sites on Moreton Avenue and Queslett Road had been assessed and deemed too cramped and inappropriate respectively. Regarding public health concerns the Head of Planning and Building Control clarified that there was no specific local planning policy, but there was a thread through national policy guidance. There were no objections from ecology officers and the application was not subject to Biodiversity Net Gain requirements as it was submitted prior to their introduction.

Debating the item Members raised a number of concerns regarding the application. It was **moved** by Councillor Bains and **seconded** by Councillor Martin and, upon being put to the vote, it was:

**Resolved** (15 in support, 1 against)

**That Planning Committee refuse planning permission for application 23/0669, contrary to the officer's recommendation, for the following reasons:**

- the application had failed to fulfil an adequate sequential test;
- the development would have a harmful impact on the highway network and on highway safety;
- the development would have a detrimental impact on the amenity of the surrounding occupiers;
- the detrimental impact on the health of children from nearby schools.

134 **Plans List Item 1b – 23/0688 – Buffet Island, Queslett Road**

Planning Committee considered the report of the Head of Planning and Building Control and the representations given during the discussions minuted under Plans List Item 1a.

[annexed]

It was;

**Resolved** (15 in support, 1 against)

**That Planning Committee refuse planning permission for application 23/0688, contrary to the officer's recommendation, on the grounds that it would not be appropriate to approve the erection of signage where the associated principle development had not been supported.**



135 **Plans List Item 1c – 23/0689 – Buffet Island, Queslsett Road**

Planning Committee considered the report of the Head of Planning and Building Control and the representations given during the discussions minuted under Plans List Item 1a.

[annexed]

It was;

**Resolved** (15 in support, 1 against)

**That Planning Committee refuse planning permission for application 23/0689, contrary to the officer's recommendation, on the grounds that it would not be appropriate to approve the erection of signage where the associated principle development had not been supported.**

136 **Plans List Item 1d – 23/0690 – Buffet Island, Queslsett Road**

Planning Committee considered the report of the Head of Planning and Building Control and the representations given during the discussions minuted under Plans List Item 1a.

[annexed]

It was;

**Resolved** (15 in support, 1 against)

**That Planning Committee refuse planning permission for application 23/0690, contrary to the officer's recommendation, on the grounds that it would not be appropriate to approve the erection of signage where the associated principle development had not been supported.**

*Upon the conclusion of the item and with the consent of the Committee, the meeting was adjourned at 20:22.*

*Councillor Samra and Councillor Bains left the meeting and did not return.*

*The meeting re-convened at 20:31. At this juncture, Cllr Statham moved and it was duly seconded, that Standing Order 9a be suspended in order to enable the remaining business to be transacted. The meeting consented.*

137 **Plans List Item 2 – 23/0715 – Former Local History Centre, Essex Street**

The Head of Planning and Building Control advised the Committee of an error within the report regarding the reason for bringing the item to Committee. The Head of Planning and Building Control confirmed that the application had not

been called-in by Councillor Nawaz and was in front of the Committee due to Head of Service discretion. Councillor Nawaz confirmed to the Committee that he had no interest the item.

The Senior Planning Officer presented the report of the Head of Planning and Building Control, including the additional information contained within the supplementary paper.

[annexed]

There was one speaker in favour of the application, Mr Cobb, who was supported by Mr Khan.

Mr Cobb stated that the proposal would support religious education for the surrounding Muslim community and was policy compliant. A travel plan had been provided and a smaller congregation of 60 people for prayers was anticipated than the 200 originally stated, with a proposal to limit the size of the prayer space and hold two separate prayer sessions on a Friday. Although there were other mosques in the area, this one would be small. Mr Cobb acknowledged that there were challenges regarding parking which would deter people from travelling from afar. He asserted that some additional parking could be created and that as the applicants recognised the constraints of the site, it was not in their interest to encourage people to travel from beyond the local area. The applicants were aware of the need to carry out alterations with care, given its heritage status and neglect over the years.

Responding to questions, Mr Cobb stated that in his understanding, if the building was to be used solely for religious education, there would be no change of use class required. He confirmed that there were approximately 26 mosques in Walsall, and that visitors may have to pass several en-route if travelling to the site by car. Mr Cobb responded to questions regarding parking and advised that the existing car park could be rearranged to accommodate 12 to 15 additional spaces resulting in 35 to 40 in total. It was possible that the applicants may be able to negotiate temporary parking with the school to the rear of the site but to his understanding, no negotiations had taken place. Mr Cobb stated that the proposal was to serve the local community and that many users would attend on foot. Regarding possible travel plans, such as bus provision or walking buses, Mr Cobb stated that the applicant had already submitted a travel plan and would be prepared to sign up to it.

Responding to questions, Mr Khan advised that an external call to prayer did not feature in the proposal and that the projected number of people attending a prayer session had reduced from 200 to 60 per prayer session due to an oversight and miscommunication with the travel consultants. Regarding questions about funerals and large gatherings, Mr Khan confirmed that a mortuary with washing and funeral facilities was included in the proposal. He stated that its size meant it could only fit one body for prayers and large funerals would need to be held elsewhere. It was possible that a body could be prepared at the site and taken to a larger mosque if required.

A Member asked if stress tests had been done to compare footfall and car usage at other mosques in the area. Mr Khan advised that these aspects had been looked at prior to the proposal; that the site was within a dense area with an identified need; and the building would be used as it was without extensions. He believed this was sufficient but confirmed that he did not have information comparing pedestrian and car-based visits at other mosques. In response to further questions, Mr Khan stated that residents he had spoken to were welcoming of the plan and wanted to see the building in use. He stated that there was a growing Muslim population in the surrounding area and confirmed that it would be a family facility with 20 to 30 children attending daily on weekdays who would mostly arrive from very local areas within walking distance.

Responding to questions, the Head of Planning and Building Control advised that a religious facility was in the same Planning Use Class F as a school and it was correct to some extent that much of the building would be used for the same purpose as it had been for over 100 years. However, there were elements of the proposal that were outside this class use including the mortuary and conversion of the former caretaker's house to a part self-contained flat and the application needed to be treated as a whole. It would need to be investigated further if there had been a break in the use class of the building, should Members be minded to approve the application. The Senior Planning Officer advised that the application did not provide detailed information regarding the windows however, it was not expedient to request this information given the application was recommended for refusal because of highways concerns.

Responding to questions, the Development Control and Public Rights of Way Manager stated that it was already a struggle to travel along Essex Street due to parked vehicles. He referred to a table submitted as part of the application stating there would be 200 people for Friday prayers from 12.30pm to 2.30pm and the community facility and classrooms would have 15 people for religious studies and 15 people for community groups. Through the Chair, it was clarified with the applicants that a mistake had been made in the application and that the numbers would be 60 for prayer and 15 for education. The Development Control and Public Rights of Way Manager stated that it remained unclear how the site would operate, where users would arrive from and that to make an accurate assessment, more information would be required from the applicants. He also advised that as the vacant site behind was not included in the plans it could not be considered, adding that there was no provision for additional parking on the existing car park as pedestrian movements needed to be accommodated.

Regarding questions about users travelling by car, it was noted by the Development Control and Public Rights of Way Manager that the applicants used census data from 2011 which showed 38 per cent of the surrounding areas had a higher level of Islamic religious belief, however 2021 census data for the same area stated that 62 percent of households had access to a vehicle. Using this data and forecast numbers of mosque users, there could

be 47 vehicles using the site. He added that data provided by the applicants calculated that the proposal would result in 520 trips between 6am and 10pm, a net increase of 331 trips to the site and that this could amount to 32 vehicles per hour. A Member asked if there were any known parking issues related to the former Abu Bakr boys school on the adjacent street which had approximately 10 spaces. Officers stated that they did not have this information. The first stage of assessing an application was to understand the site in question and how it would work. As sufficient information had not been provided to demonstrate how the development would function, this additional information may not have been sought. The Head of Planning and Building Control summarised that there were outstanding concerns about the lack of information in the travel plan, plans to reduce trips over time, and the provision of additional parking on site.

Debating the application, Members considered the possible effect on parking issues in the area following the closure of the school to the rear of the site; the opportunity to bring back into use a redundant building; the needs of the local community and how users would likely travel to the mosque. A Member suggested that concerns surrounding the windows could be address via conditions.

It was **moved** by Councillor Nawaz and **seconded** by Councillor K. Hussain and, upon being put to the vote, it was:

**Resolved** (Unanimously)

**That Planning Committee delegate to the Head of Planning and Building Control to grant planning permission for application 23/0715 and for the finalisation of conditions, contrary to the officer's recommendation, on the following grounds:**

- **The proposed development fulfils a local need;**
- **There would not be an issue with traffic in the area arising from the application, as the objections raised by the Highways Officer had not accounted for the reduction of traffic following the closure of the nearby Abu Bakr boys' school and that the users of the development would largely be coming from the immediate local area and within walking distance;**
- **The development would bring an existing, unused building back into use;**
- **The development would help to address existing ASB issues;**
- **The proposed use was not a significantly different use of the building from the existing one and the numbers using the facility would be controlled.**

*At this juncture, Councillors Gill, A. Hussain, I. Hussain, K. Hussain, Martin, Nahal and Singh-Sohal left the meeting and did not return.*

*The Chair confirmed that the meeting remained quorate.*

137 **Plans List Item 5 – 23/0446 – 74 Mellish Road**

The Senior Planning Officer presented the report of the Head of Planning and Building Control, including the additional information contained within the supplementary paper.

[annexed]

There was one speaker in support of the application, Mr Clifton, who stated that multiple neighbouring properties in the street had been extended or rebuilt and that the proposed dwelling, both as built and as approved, had been of a contemporary design with vertical windows. He asserted that the raised ridge height, fenestration, and inappropriate palette of materials were subjective considerations and that two windows on the property were for ensuite bathrooms and were obscure glazed. He advised that a separate application had been submitted to resolve the vehicle access arrangements and that he had dealt with some eight different officers on the project making continuity challenging.

Responding to questions, Mr Clifton advised that the left and right windows with obscure glazing were for ensuite bathrooms in the loft space and that the central window was located on a staircase at a level which would not impact the privacy of neighbouring properties.

The Committee asked questions to Officers. A Member asked if officers agreed with a subjective view that the property was, in isolation, an iconic building within a large plot and was aesthetically acceptable. The Senior Planning Officer stated this was a subjective matter however, there were specific design policies and guidance to be followed and that high quality street scenes should be preserved as part of any new development. Responding to questions about the expediency test, the Head of Planning and Building Control explained there was an element of subjectivity however, there were policies that helped guide and frame opinion. He advised that the proposal went above and beyond what was deemed acceptable in the locality and there was a live enforcement case relating to the property, however, the expediency test would be determined by the outcome of the application before the Committee.

The Committee moved to debate. A member stated that the property made a statement on Mellish Road, and that the application had first been lodged in 2022 and needed to be closed. A member stated the opinion that the design fitted in well; was an impressive dwelling and the detriment caused did not outweigh the benefit.

It was **moved** by Councillor Bird and **seconded** by Councillor Nawaz and, upon being put to the vote, it was:

**Resolved** (Unanimously)

**That Planning Committee delegate to Head of Planning and Building Control to grant permission for application 23/0446, contrary to the officer's recommendation and subject to:**

- **the finalisation of conditions; and**
- **securing satisfactory vehicle access in the interest of highways safety.**

**On the grounds that the development was an iconic building within a large plot, comprised of high-quality materials and representing a modern take on the character of the area.**

*At this juncture, Councillors Bashir left the meeting and did not return.*

*The Chair confirmed that the meeting remained quorate.*

### 138 **Plans List Item 6 – 24/0201 – Holtshill Lane**

The Senior Planning Officer presented the report of the Head of Planning and Building Control.

[annexed]

There was one speaker in support of the application.

Mr DeMay stated that the applicant already operated a care home in the Highgate area for children with Special Educational Needs. The proposed development would provide accommodation for 3 children and no adult clients, securing local places for local children where appropriate. The proposed development was on a site with multiple previous issues.

Responding to questions, Mr DeMay confirmed that work had already commenced. The applicants believed it was appropriate to begin preparatory works and remove the existing asbestos garage and were unaware planning permission was required to do so. He was unable to provide further information regarding Public Rights of Way on the site.

Responding to questions to officers the Senior Planning Officer confirmed that the Public Right of Way had been consulted on and the due process had been followed, with no comments received from the Rights of Way officer. There was some uncertainty regarding the position of the Right of Way and whether it was within the site boundary. The Group Manager – Planning confirmed that an enforcement case had been registered and that this was currently on hold as efforts were undertaken to regularise the work already done.

It was **moved** by Councillor Statham, that the Committee vote in line with the officer's recommendations. Following further debate, Councillor Statham **withdrew his motion**.

It was **moved** by Councillor Bird and **seconded** by Councillor Nawaz and, upon being put to the vote, it was:

**Resolved** (Unanimously)

**The Planning Committee defer application 24/0201 to a future meeting of Planning Committee to enable additional information to be provided on the impact on the existing Public Right of Way and regarding the status of the enforcement case.**

139 **Plans List Item 3 – 24/0277 – 205 High Street**

Planning Committee considered the report of the Head of Planning and Building Control, including the additional information contained within the supplementary paper.

[annexed]

It was **moved** by Councillor Bird and **seconded** by Councillor Nawaz and, upon being put to the vote, it was:

**Resolved** (Unanimously)

**That Planning Committee delegate to the Head of Planning & Building Control to grant planning permission for application 24/0277, subject to conditions and a Section 111 legal agreement to secure the Cannock Chase Special Area of Conservation mitigation payment, and subject to the amendment and finalising of conditions.**

**Date of next meeting**

The date of the next meeting was 5 September 2024.

There being no further business, the meeting terminated at 10:34pm.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_