

PLANNING COMMITTEE

Thursday 30 March, 2017 at 5.30 pm

In the Council Chamber at the Council House, Walsall

Present:

Councillor Worrall (Vice Chair) in the Chair
Councillor Barker
Councillor Bird
Councillor Chambers
Councillor Creaney
Councillor Douglas-Maul
Councillor S. Fitzpatrick
Councillor Harris
Councillor Jones
Councillor Nawaz
Councillor Perry
Councillor Rochelle
Councillor Sarohi
Councillor Shires
Councillor Sohal
Councillor Young

1684/17 Apologies:

Apologies for non-attendance were submitted on behalf of Councillor Nazir (Chair) and Councillor Follows

1685/17 Minutes

Resolved

That the minutes of the meeting held on 2 March, 2017, a copy having been previously circulated to each Member of the Committee, be approved and signed as a true record.

1686/17 Declarations of Interest

There were no declarations of interest.

1687/17 Deputations and Petitions

There were no deputations introduced or petitions submitted

1688/17 **Local Government (Access to information) Act, 1985 (as amended)**

That the public be excluded from the private session during consideration of the agenda item indicated for the reasons shown on the agenda.

1689/17 **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 were members of the public had previously indicated that they wished to address the Committee. The Chair asked Committee if they would be in agreement for Item 10 to be heard immediately following Item 2 to enable a speaker on both items to leave early. Committee were in agreement.

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 after two minutes they would be advised they had one minute left.

1690/17 **Item No. 2 – application number 17/0108 – a single storey extension to the site and rear of 4 Gillity Avenue at Fiona Florist, 4 Gillity Avenue, Walsall, WS5 3PH**

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

(see annexed)

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

There then followed a period of questioning by Members to the speaker and officers which included concerns around the ability of large delivery vehicles accessing and manoeuvring around the parade of shops, whether the applicant had advised officers of the proposed use of the proposed extended retail unit and did a supermarket have the same 'use class' category designation as the current florist should that be the applicant's intention.

In response, officers confirmed the rear surface road was adequate to accommodate smaller delivery vehicles without impact on the surrounding road network and that there were no vehicle restrictions along Gillity Avenue that would prevent larger delivery vehicles unloading on the street, and that the current Class 1 for a florist would also apply to a supermarket.

Members discussed the application further including concerns regarding the adequateness of the parking provision for the parade of shops, the scale of the extension increase to the existing unit, and the need for clarification on the future use of the unit should Members be minded to approve the application.

Councillor Young **moved** and it was **seconded** by Councillor Bird:-

That planning application number 17/0108 be deferred to allow further consultation between officers and the applicant regarding delivery arrangements and to seek clarification on the use of the proposed unit.

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

Resolved

That planning application number 17/0108 be deferred to allow further consultation between officers and the applicant regarding delivery arrangements and to seek clarification on the use of the proposed unit.

1691/17 **Item No. 10 – application number 16/1851 – retention of single storey detached structure in rear garden (playroom/gym) at 263 Broadway North, Walsall, WS1 2PS**

The Planning 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. Worley, who spoke in objection to officers recommendations.

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

The Committee then welcomed the final speaker on this application, Mr Sagoo, who spoke in support to officers recommendations.

There then followed a period of questioning by Members to the speakers and officers which included whether the structure was currently being inhabited, did permitted development rights already exist and whether the foundations of the structure were adequate.

In response, it was confirmed the structure was temporarily being used by labourers carrying out works to the main house; the structure had permitted development rights due to its current, temporary use and that it remained ancillary to the main house, and should permission be granted then Building Control would investigate the foundations.

Members discussed the application further and Councillor Bird **moved** and it was **seconded** by Councillor Rochelle:-

That planning application number be refused by virtue of the building being retrospective and not being used as an ancillary structure to the existing house, permitted development allowances did not apply and therefore it is an unauthorised structure.

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

Resolved

That planning application number be refused by virtue of the building being retrospective and not being used as an ancillary structure to the existing house, permitted development allowances did not apply and therefore it is an unauthorised structure

Councillor Creaney left at this juncture of the meeting

1692/17 **Item No. 4 – application number 16/1823 – demolition of existing building premises and erection of 2 No. 3 bedroom dormer bungalows (amended application to previously approved 12/1429/FL) at 248 Chester Road, Streetly, Sutton Coldfield, B74 3NB**

The Planning 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, Mrs Bond, who spoke in objection to officers recommendations.

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

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

There then followed a period of questioning by Members to the speakers and officers primarily with regard to the previously approved application and the amended application for consideration.

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

That planning application number 16/1823 be delegated to the Head of Planning, Engineering & Transport to grant permission, subject to no new planning considerations being put forward

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

Resolved

That planning application number 16/1823 be delegated to the Head of Planning, Engineering & Transport to grant permission, subject to no new planning considerations being put forward

Councillor Douglas-Maul requested that his name be recorded as having voted against the Motion.

Councillor Creaney returned to the meeting.

1693/17 **Item No. 5 – application number 15/1833 – removal of Condition 4A of EA4133 relating to the construction and laying out of a permanent hard wearing surface on land south of 8 Oaklands Way, Pelsall, Walsall**

The Planning Officer advised Committee of the background to the report and drew Members attention to the supplementary paper now submitted and stated the officer recommendation within the supplementary paper should have read Refuse

(see annexed)

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

Members discussed the application further, which included the creation of a highways problem due to the displacement of vehicles and the subsequent access and exit difficulties within the cul de sac encountered by Council, utility and emergency services vehicles.

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

That planning application number 15/1833 be refused as per the reasons contained within the report and supplementary paper now submitted

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

Resolved

That planning application number 15/1833 be refused as per the reasons contained within the report and supplementary paper now submitted

1694/17 **Item No. 6 – application number 15/1835 – change of use of car park area and erection of single detached house with garage on land south of 8 Oaklands Way, Pelsall, Walsall**

The Planning Officer advised Committee of the background to the report and supplementary paper now submitted and drew Members attention to the officers recommendation within the supplementary paper which should have read Refuse

(see annexed)

Councillor Young left at this juncture of the meeting.

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

There were no questions to the speaker nor to officers.

Members discussed the application further and Councillor Bird **moved** and it was **seconded** by Councillor Perry:-

That planning application number 15/1835 be refused as per the reasons contained within the report and supplementary paper now submitted and to authorise officers to instigate enforcement procedures pertaining to the fence

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

Resolved

That planning application number 15/1835 be refused as per the reasons contained within the report and supplementary paper now submitted and to authorise officers to instigate enforcement procedures pertaining to the fence

1695/17 **Item No. 11 – application number 16/1848 – new six bedroom detached dwelling and erection of a detached garden building to rear of 51 Skip Lane, Walsall, WS5 3LW**

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

(see annexed)

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

There then followed a period of questioning by Members to the speaker and officers regarding the design of the application and whether the trees had preservation orders attached to them.

In response, the presenting officer referred to the flat roof element which was considered a poor design as it would result in a wide and bulky appearance, and that the trees did not have preservation orders but were a character feature on the landscape.

Members discussed the application further and Councillor Bird **moved** and it was **seconded** by Councillor Nawaz:-

That planning application number 16/1848 be granted as the application is of a good quality design that would fit well within the street scene and harmonious with the other properties within Skip Lane, subject to standard conditions relating to hours of work and materials to be approved prior to construction.

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

Resolved

That planning application number 16/1848 be granted as the application is of a good quality design that would fit well within the street scene and harmonious with the other properties within Skip Lane, subject to standard conditions relating to hours of work and materials to be approved prior to construction.

1696/17 **Item No. 12 – application number 16/1768 – two storey side extension, single storey front and rear extensions at 29, Wiley Avenue, Darlaston, Wednesbury, WS10 8QD**

The Planning Officer advised Committee of the background to the report now submitted

(see annexed)

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

There then followed a period of questioning by Members to the speaker and officers with regard to whether the addition of one bedroom would significantly increase on road parking within the immediate area and lead to discriminate on street parking and whether planning permission would be required to convert the garage into a habitable room.

Members discussed the application further and Councillor Douglas Maul **moved** and it was **seconded** by Councillor Bird:-

That planning application number 16/1768 be granted as the quality of the design was in-keeping with the street scene by virtue of there being no difference to the established pattern, best use of land with sufficient facility to enable onsite parking, subject to conditions to include standard hours of work and materials to be approved prior to construction.

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

Resolved

That planning application number 16/1768 be granted as the quality of the design was in-keeping with the street scene by virtue of there being no difference to the established pattern, best use of land with sufficient facility to enable onsite parking, subject to conditions to include standard hours of work and materials to be approved prior to construction.

1697/17 **Item No. 1 – application number 16/1191 – extension and hard standing to existing warehouse and waste recycling facility, providing storage bays, ancillary parking and boundary treatment at Waste Care, Willenhall Lane Industrial Estate, Willenhall Lane, Bloxwich, WS3 2NX**

Resolved

That planning application number 16/1191 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1698/17 **Item No. 3 – application number 16/1606 – erection of 3 bed detached house (revised scheme from 15/0621/FLO on land adjacent to 23 Green Lane, Walsall Wood, Walsall, WS9 9BE**

Resolved

That planning application number 16/1606 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1699/17 **Item No. 7 – application number 16/1755 – demolition of existing sun lounge and erection of two storey rear extension at 124, Thornhill Road, Streetly, B74 2LJ**

Resolved

That planning application number 16/1755 be granted, subject to conditions as contained within the report and supplementary paper now submitted

1700/17 At this point in the meeting, Councillor Bird **moved** and it was duly **seconded** by Councillor Nawaz:-

That Standing Order 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 declared **carried**, with all Members voting in favour.

1701/17 **Item No. 8 – application number 16/1873 – two storey side extension at 10 Barr Common Road, Aldridge, Walsall, WS9 0SY**

Councillor Bird **moved** and it was **seconded** by Councillor Nawaz:-

That planning application number 16/1873 be granted as the extension will add to the eclectic mix of housing within the street, provide amenities to a family home and would not be detrimental to the amenities of the neighbouring homes.

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

Resolved

That planning application number 16/1873 be granted as the extension will add to the eclectic mix of housing within the street, provide amenities to a family home and would not be detrimental to the amenities of the neighbouring homes.

- 1702/17 **Item No. 9 – application number 17/0008 – proposed two storey side and single storey front extension at 5 Pimbury Road, Willenhall, WV12 5QN**

Resolved

That planning application number 17/0008 be delegated to the Head of Planning, Engineering & Transportation to grant permission, subject to no new material planning considerations being put forward, as contained within the report and supplementary paper now submitted

- 1703/17 **Private Session**

Exclusion of Public

Resolved

That, during consideration of the following 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 12 A of the Local Government Act, 1972 (as amended) and accordingly resolved to consider those items in private session.

Summary of item considered in private session

- 1704/17 **Enforcement Report: Non compliance with a Section 215 ‘Amenity Notice’**

The report of the Head of Planning, Engineering and Transportation had been submitted to Members.

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

Committee considered the report and Councillor Bird **moved** and it was duly **seconded** by Councillor Barker that Committee approve the recommendations contained therein.

Members voted unanimously in favour of approving the recommendations contained therein.

Termination of meeting

There being no further business, the meeting terminated at 8.15 pm

Signed

Date