



Walsall Council

Development Management

PLANNING COMMITTEE

Report to the Head of Planning and Building Control

20th July 2023

Plans List Supplementary Paper

Since preparation of the planning committee agenda, the following supplemental information has been received. Officer comments are provided in response to the supplemental information along with any necessary amendments to the recommendation.

Plans list item number: 1	
Application site address: METRO INN WALSALL, BIRMINGHAM ROAD, WALSALL, WS5 3AB	
Supplemental Information	Officer Comments
6 further objections received from local residents; concerns raised are summarised as follows: <ul style="list-style-type: none">– Impacts on neighbour amenity– Loss of hotel, bar and jobs– Increased traffic congestion	The issues raised within the new comments have been addressed in the planning committee report. No change to officer recommendation.

<ul style="list-style-type: none"> - Increased highway safety issues - Insufficient car parking - Likely closure of existing Walsall Lidl store - Suitable alternative sites - Reduction in air quality and increased health impacts - Availability of other supermarkets in area 	
<p>An additional comment of support for the proposal has been received from a local resident.</p> <ul style="list-style-type: none"> - Creation of jobs - SPRINT would allow for better transport links to supermarket - Improvement on appearance of current hotel - Good use of the site - Competitive retail resource (not a material planning matter) - Meets local need <p>-Would reduce anti-social behaviour on site</p> <ul style="list-style-type: none"> - Reference made to the opinion of professional highway officers differing to that of an application for residential development in the locality 	<p>The issues raised within the comments have been addressed in the planning committee report. No change to officer recommendation. In relation to comments made about another planning application in the area, each application is assessed on its individual merits. No change to officer recommendation.</p>
<p>For clarity the changes as set out within the amended documents currently out for re-consultation are set out in the agents cover letter of 4th July 2023 and summarised here:</p> <ul style="list-style-type: none"> • Minor adjustments to the site boundary, to reflect the site boundary found within the title deed and remove conflict with neighbouring landowners; • The repositioning of the proposed access, to address informal comments received from WMBC highways; 	<p>Noted. The current re -consultation process on amended information and plans ends on 28th July 2023. The recommendation takes into consideration any material matters being raised as part of the re- consultation.</p>

<ul style="list-style-type: none"> • The inclusion of an easement area (as agreed with TfWM), to account for the forthcoming 'Sprint Lane' along Birmingham Road; and • Changes to the store and car park layout, in response to and to facilitate the changes outlined above. • Changes to the layout have resulted in a negligible reduction in the site area • Changes to car par layout result in reduction of 4 'standard' car parking spaces 	
<p>The Lead Local Flood Authority have provided comments on the amended drainage information. Their objection is maintained due insufficient information to demonstrate an acceptable drainage strategy.</p>	<p>Noted. No change to refusal reason no. 2.</p>
<p>The planning agent submitted a document 'Response to Committee Report' on 19th July 2023. Points raised within this document are based on the committee report refusal reasons:</p> <ul style="list-style-type: none"> – Insufficient car parking; Impact on highway safety; and Cumulative impacts. – Insufficient drainage details – Insufficient evidence to demonstrate no impact on neighbouring outlook or light. – Proposed design fails to respect the location – Proposed development has an unacceptable – Proposed landscaping does not include an acceptable level of tree planting or retention of existing trees. 	<p>Officer comments on each point is as follows:</p> <ul style="list-style-type: none"> – The amended documents are currently being considered by the Local Highway Authority as part of the re-consultation process – The Lead Local Flood Authority have maintained their objection due to insufficient drainage details to demonstrate an acceptable drainage strategy. – The LPA consider that information submitted by the agent in the document does not alter refusal reason 3 in relation to impact on neighbouring amenity in relation to outlook or light. – The LPA consider that information submitted by the agent in the document does not alter refusal reason 4 in relation to the design of the proposal and its impact upon the character of the area.

	<ul style="list-style-type: none"> - The amended documents associated with the landscaping are out for re-consultation which will allow for the Tree Officer to consider this information. - No changes are proposed to the refusal reasons prior to planning committee, however the recommendation allows for amending and finalising refusal reasons should officers consider comments received as part of re-consultation that this is necessary.
<p>Recommendation: Delegate to the Head of Planning and Building Control to refuse subject to:</p> <ul style="list-style-type: none"> - Taking account of any additional material matters being raised as part of a current re-consultation - Finalise and amend refusal reasons 	

Plans list item number:2 Application site address: THE ALLENS CENTRE, HILTON ROAD, WILLENHALL, WV12 5XB	
Supplemental Information	Officer Comments
<p>An additional consultation response has been received from the Council's Regeneration Officer (Trees): No objection raised to the principle of the development, but concerns related to the illustrative layout including:</p> <ul style="list-style-type: none"> • cramped nature, • lack of sufficient landscaping space for proper tree planting, • loss of trees without adequate replacement, • potential impact from neighbouring trees. 	<p>Noted, this application is in outline with all matters reserved for the subsequent, linked reserved matters application/s. The submitted layout is not supported and would not be approved by this application. No change to officer recommendation.</p>
<p>A further consultation response has been received from the Principal Environmental Protection Officer who states that: The recommended conditions for the development project do not include the necessary provisions for remediating contaminated land.</p>	<p>Noted, a further condition relating to the provisions for remediating contaminated land will be added to any decision approving this application. No change to officer recommendation</p>

1. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission subject to Conditions and a S106 agreement to secure open space contributions, affordable housing, and mitigation payments towards the Connock Chase SAC and subject to;
- No new material considerations being received within the consultation period;
 - The amendment and finalising of conditions;
 - No further comments from a statutory consultee raising material planning considerations not previously addressed.

Plans list Item number: 3	
Application site address: 6 The Oaks, Bloxwich, Walsall, WS3 2NY	
Supplemental Information	Officer Comments
<p>6 further objections received from local residents: Concerns raised relate to:</p> <ul style="list-style-type: none"> - Parking on and blocking footpath - Noise - Commencing change of use before planning permission obtained - Police called to address for 4th time - Breach of restrictive covenant in deeds - Safeguarding concerns for residents - Police have advised occupiers of no. 6 about inconsiderate parking - Smoking outside - Unkempt gardens - Rubbish piling up 	<p>The issues raised within the comments have been previously commented on in the planning committee report.</p> <p>Smoking outside a property is not a material planning consideration.</p> <p>No change to officer recommendation.</p>
<p>The planning agent has been in touch trying to make a case that 16 to 17 year olds can live independently. Our evidence in case law and with the advice of Legal Services is that this is not the case and the proposed use constitutes Use Class C2 rather than C3a or C3b.</p>	<p>Noted. No change to officer recommendation.</p>
<p>Consultation response received from Environmental Protection stating that there are no significant industrial/commercial noise</p>	<p>Noted. No change to officer recommendation.</p>

impacts, or any concerns regarding air quality or contaminated land that are material planning considerations for this application.	
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1. **Recommendation:** Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to;

- i. No new material considerations being received within the consultation period;
- ii. The amendment and finalising of conditions;
- iii. No further comments from a statutory consultee raising material planning considerations not previously addressed;