



Planning Committee

Date: 12th November 2020

Report of Head of Planning and Building Control

SUPPLEMENTARY PAPER

Since preparation of the agenda, the following information has been received.

Officer comments are provided in response along with any amendments to the recommendation.

Item Number: 6

Site Address: 169 Lowe Avenue

Supplemental Information:	Officer Comments:
Request to withdraw this enforcement case from November's planning agenda and present to December's planning committee	Agreed with the Chair of Planning Committee
Recommendation: Defer until December	

Agenda Item Number: 7

Site Address: Foley Wood, Egerton Road, Streetley

Supplemental Information:	Officer Comments:
Reference throughout the report to "domestic garden" should be replaced with "residential garden"	To note

<p>and similarly “domestic use” replaced as “residential use”</p> <p>Officers are aware there may be other properties that back onto Foley Wood that may have encroached onto the woodland therefore the delegation seeks authority to investigate and include other properties in any enforcement action if expedient to do so.</p>	<p>To note</p>
<p>Recommendation: Remains as set out with additional delegation to include any other properties which are found to encroach.</p>	

<p>Item Number: 1</p> <p>Site Address: land Adj 370 Chester Road, Aldridge</p>	
Supplemental Information:	Officer Comments:
<p>Further information submitted to address flood risk officer's objection</p>	<p>Further consultation with the flood risk officer to be undertaken. If details are acceptable this would remove reason for refusal 3 subject to any future conditions.</p>
<p>A supporting statement from the mental health care commissioner has been received which states:</p> <ul style="list-style-type: none"> • There has been a lack of specialist dementia nursing beds for a number of years, which has resulted in people diagnosed with dementia, and needing long term nursing care having to be transferred out of area to placements in Staffordshire, Wolverhampton and Birmingham. • Where Walsall Adult Social Care refer to significant vacancies across the borough they 	<p>Noted, the comments have been forwarded to Walsall Adult Social Care for review.</p>

<p>are referring to number of care homes in Walsall who are registered as dementia nursing homes</p> <ul style="list-style-type: none"> • These are in essence general nursing homes, who can deliver care to people with dementia, but they do not have the experience, skills or appropriately trained staff to care for people who present with complex behavioural and psychological symptoms of dementia. The CCG definition of dementia nursing differs from this, and the only recognised dementia nursing bed providers in Walsall, are Parklands, and Castlehill. • There is only Castlehill, in Walsall that can provide specialist care for people who present with complex needs related to their dementia. • CCG recognise that the funding of this type of beds usually falls under the remit of the CCG, as people requiring these type of beds, are funded through Continuing Health Care, or Section 117 MHA 1983, not the Local Authority. • There is no other care home provider in Walsall who currently provide beds for the level of specialised dementia care needed by the CCG. I am not aware of any potential providers coming into Walsall, so based on projected future need of specialised dementia beds, without the additional beds that Castlehill are looking to provide. 	<p>Recommendation remains as set out in the committee report</p>
--	--

Recommendation: Refuse.

Item Number: 2

Site Address: 135 Erdington Road

Supplemental Information:	Officer Comments:
Neighbour has requested confirmation of distance between Plots 2 and 3 and the Green Belt boundary and the road at its narrowest.	Published plans are to scale and can be measured online by members of the public. However, to confirm, Plot 2 is 1.3m to the southern site boundary with the forward projecting garage shown to have a gap of 0.3m towards the front which tapers away towards the dwelling. Plot 3 is

	<p>between 0.5m and 0.9m to the southern site boundary.</p> <p>The internal shared access is 3.6m at its narrowest.</p> <p>No change to officer recommendation.</p>
<p>Neighbour has requested sight of updated protected species report and raised concerns on protected species.</p> <p>Neighbour states sightings of Grey Wagtails in area and queries text in report.</p>	<p>This is already considered and addressed in the report.</p> <p>No change to officer recommendation.</p> <p>RSPB published guidance states <i>“Grey wagtails are found over most of the UK, with the exception of the Northern and western isles of Scotland. Likes fast-flowing rivers in summer their greatest densities are in the hills of England, Scotland and Wales. In winter they can be seen around farmyards and lowland streams, even in city centres. Scarce in central and eastern England in summer and from upland areas in winter.”</i></p> <p>Page 30 of report, and conditions 3 and 16 to be updated accordingly to require caution during works and any necessary enhancement measures. No change to officer recommendation.</p>
<p>Comments received from Wildlife Trust 11th November requesting sight of any up-to-date ecology report. Queries whether site clearance, and bat inspection of the veteran tree, have been carried out in accordance with extant permission 16/1153.</p>	<p>The position on ecology for this current application is already considered and addressed in the report, and as set out in this supplementary paper.</p> <p>The bat inspection Condition No.13 of 16/1153 has been discharged in consultation with the Council's Ecologist and the Local Planning Authority has no evidence to confirm that site clearance has not been carried out in accordance with ecological conditions attached to</p>

	16/1153. These matters relate to an extant permission and are not material to the determination of this current application.
Additional neighbour objection received regarding hedge and tree removal, Green Belt impacts, scale, bulk and over-development, harm to character and visual amenity of area.	These matters have already been considered and addressed in the report. No change to officer recommendation.
Agreement from Local Highway Authority and Council's Tree Officer to provide a footway north of the vehicle access and a grassed verge to south of access in front of TPO tree.	Conditions will be updated accordingly. No change to officer recommendation.
Council's Tree Officer has confirmed no objection to latest revised plans subject to condition to secure the recommendations and guidelines set out in the submitted tree report. Council's Tree Officer also confirms the proposal would not result in any long-term detrimental effect on the shared Hawthorn hedge which is hardy and tolerant of harsh pruning and shading.	Officer recommendation updated accordingly. To note.
Woodland Trust maintain objection on grounds that a buffer zone of 15 times the stem diameter is required to the veteran tree.	This is already considered and addressed in the report. No change to officer recommendation.
Neighbour raised concerns with the proposed refuse collection method after seeking advice directly from the Council's Clean and Green Team. Clean and Green email to neighbour dated 9 th November states bins should be collected to front of site.	Awaiting further comments from the Clean and Green Team. Condition No.20 to be updated where necessary. No change to officer recommendation. There is sufficient space to front of Plot 1 to accommodate a hard surfaced bin collection area outside of the visibility splay. Condition No.20 to

<p>No objection to securing a bin collection area to front of Plot 1 from Local Highway Authority (verbally agreed 10th November) and Clean and Green 11th November.</p>	<p>be updated where necessary. No change to officer recommendation.</p> <p>Condition No.20 to be updated as necessary. No change to officer recommendation.</p>
<p>Neighbour states works are proposed to veteran tree and queries text in report.</p>	<p>The applicant's arboriculturalist has confirmed that veteran tree 'T1904' does not require pruning to facilitate or accommodate the proposed development nor does it require arboricultural works at this time for tree health or safety. Minor pruning works may be needed in future to raise the crown (but not to 3m) to facilitate access for the removal of the sub-terranean structure and/or to erect new boundary fencing to prevent impact damage to the tree. Deadwood should only be removed where its failure potential presents an unacceptable risk of harm.</p> <p>Any future works to this protected tree would be considered via a separate tree application. No change to officer recommendation.</p>
<p>Extract of Online Petition - 219 Signatures.</p>	<p>Title: Stop The Encroachment Onto Aldridge Greenbelt Status: Closed - Response Pending</p> <p>Petition Overview: Planning application 16/1153 relating to 135 Erdington Road was granted in October 2017. The southern boundary of the site adjoins council of the Green Belt. A condition of approval was the retention of the mature tree which was removed illegally during development of the site in early 2020 and, despite a condition of approval, has not been replaced. Fencing belonging to the farm has also been removed and has encroached a further 3 metres onto the Green Belt. The site also has a 300 year old veteran oak. A subsequent application has now been submitted which reduces the number of dwellings from 4 to 3 but doubles the area of the site. If approved, this would require encroachment onto the Green Belt in order to replace the tree which clearly demonstrates that the site would be overdeveloped.</p> <p>As such, we the undersigned request Walsall Council to take the following actions on planning applications at 135 Erdington Road, Aldridge:</p> <ul style="list-style-type: none"> ▪ enforce the breach of planning consent for the illegal removal of the mature tree; ▪ enforce the replanting of a suitable hedgerow of sufficient mature trees to replace the southern boundary prior to any development; and ▪ stop the encroachment on to the green belt. <p>Relevant Area(s): Not Specified Opening Date: Monday, 14 September 2020 Closing Date: Monday, 2 November 2020 Petitioner Group: Protect Aldridge Greenbelt & Action Against Planning</p> <p>https://cmispublic.walsall.gov.uk/cmisp/EPetitions/CreateSignePetition/tabid/</p>

	137/ID/68/Stop-The-Encroachment- Onto-Aldridge-Greenbelt.aspx
Condition No.14 is a duplicate of Condition No.12.	Remove duplicate condition. No change to officer recommendation.
Typo on pages 17 & 18 of report - No.131 Erdington Road should be No.133.	To note.
Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to the amendment and finalising of conditions.	
Item Number: 3 Site Address: Chase Road	
Supplemental Information:	Officer Comments:
<p>The planning agent has provided the following supporting information in response to neighbour objections:</p> <p>-Plans are incorrect as the boundary wall dog legs into the proposed extension - <i>I am unclear as to as to as to what this comment means.</i></p> <p>-Red line boundary to the north side of the road – <i>this hasn't changed and is within the clients ownership.</i></p> <p>- Clarification required regarding the red edge on 17/0227 and the front garden of application site - <i>I am unclear as to as to as to what this comment means.</i></p> <p>The planning agent has also submitted a tree survey.</p> <p>Elements referenced in the Secure By Design note will form a planning condition</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted, consultation with the arboricultural officer will be undertaken.</p> <p>This is ensure the safety of future occupiers and reduce the potential for anti social behaviour</p>

	Recommendation remains as set out in the committee report
Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to; the amendment and finalising of conditions and overcoming the arboricultural officer's objection.	
Item Number: 5	
Site Address: living area above 317 Chester Rd, Aldridge	
Supplemental Information:	Officer Comments:
Page 71 (cover page) of report refers to the application being a C2 residential institution – this is incorrect it is a C3 dwelling	Does not alter the consideration of the application in the report. Recommendation remains as set out in the committee report
Recommendation: Refuse	