



Walsall Council

Development Management

PLANNING COMMITTEE

Report to the Head of Planning and Building Control

4th February 2021

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.

Agenda Item number: 6 S16 monitoring report	
Supplemental Information	Officer Comments
On page 4 of the report it refers to one third of the contributions being expended. The split is actually 59% spent and 41% balance remaining.	To note
Recommendation: Committee notes report.	

Plans list Item number: 1 Application site address: Former Allotments Rear of 1 to 9 Cricket Close, Walsall	
Supplemental Information	Officer Comments
<p>Independent Viability Appraisal: The Council's independent viability assessor confirms the scheme can achieve a policy compliant level of 25% social rent tenure along with the urban open space contribution of £93,799.</p> <p>They also conclude that the scheme would remain viable whilst providing 25% shared ownership tenure along with an off-site commuted affordable housing sum of £266,362 and the urban open space contribution of £93,799.</p>	No change to recommendation.
<p>Developer Viability Position: The developer has explained that early payment of contributions would further impact the schemes viability and requests phased triggers for payment throughout the development. A further independent review will be needed to assess the triggers and any impacts on overall level of contribution.</p> <p>The developers offer has now been increased to:</p> <ul style="list-style-type: none"> • 25% shared ownership tenure on-site; • £93,799 towards open space payable towards start of development; • Up to £266,362 towards off-site affordable housing subject to a further viability review at 75% completion of development. £100,000 payable at start of development and remainder payable subject to review. 	<p>Recommendation updated accordingly. Planning Committee members to confirm for the Section 106, one of the following options:</p> <p>a. Policy compliant level of contributions / provision; or b. the developers offer of 25% shared ownership affordable housing, £266,362 off-site contribution towards affordable housing and £93,799 towards open space.</p>
Following re-consultation:	Noted. Recommendation updated accordingly.

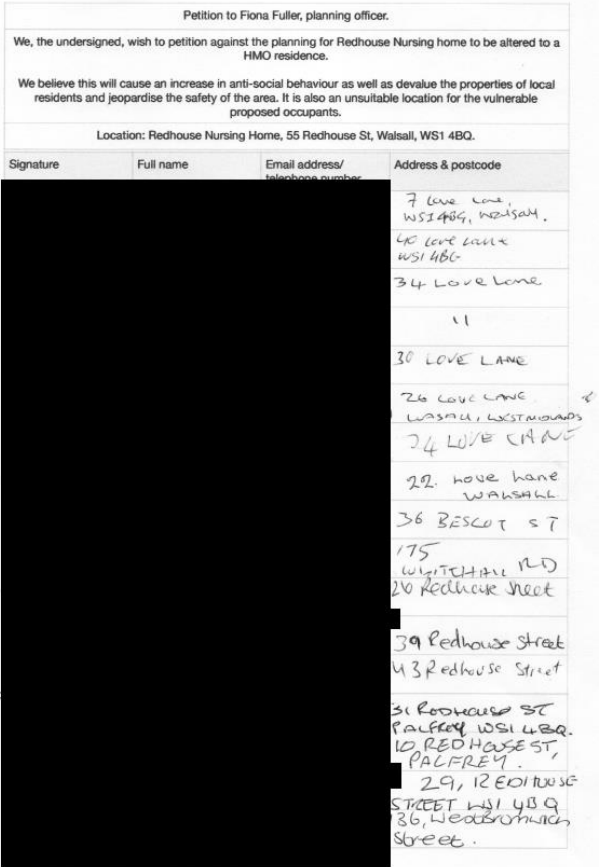
<p>Police Architectural Officer - recommends closure of the temporary construction access route post-development for security and safety reasons.</p> <p>Sports England - no objection subject to closure of the temporary construction access post-development and reinstatement of the land.</p> <p>Lead Local Flood Agency - no objection subject to planning conditions to reduce the risk of surface water flooding to the development and surrounding properties during construction.</p> <p>Fire Officer - no objection subject to compliance with Approved Document Part B, Volume 1, Dwellings, 2019.</p> <p>Pollution Control - comments remain as set out in the report with an additional contaminated land condition requiring soil sampling to plots 28 and 29.</p> <p>Tree Officer – the amended plans do not address concerns regarding trees, including TPO trees to the north of the site which may affect the ability to support plots 28 and 29. Recommends description is updated to <i>“Proposed erection of up to 29 dwellings”</i>.</p>	
<p>Further objections from 8 x neighbours:</p> <ul style="list-style-type: none"> • Cricket Close access still unacceptable, insufficient parking, and difficulty for reversing refuse wagons. • Existing uncontrolled pedestrian crossing between the two road junctions - loss of valuable pedestrian footway. • Highway's safety issues along Birmingham Road. • Further impacts - Sprint bus alterations. 	<ul style="list-style-type: none"> • The Local Highways Authority have no objections to the proposal as presented on highway safety grounds subject to temporary construction access off Broadway. Proposed 66 spaces exceeds the 40 spaces likely to be required based on car ownership data. • The Sprint bus proposals are not a material planning consideration.

<ul style="list-style-type: none"> • No discussions have taken place with residents and objections not being listened to. Difficult to keep up with number of amendments. • Other exits and direct access onto A road / Broadway already present and shown on previous 2017 application. • Permanent access should be via Broadway. • Previous agreement for financial payment to tennis club. • What is Sport England's interest in this site? • Devalue house prices. • Future Phase 2 likely to propose a further 20 dwellings. • Additional impacts on sewage. • Future disruption from extensions to new estate. • Proposed parking spaces for No.11 not acceptable and unsatisfactory natural surveillance. • No assessment of reversing car off No.11 driveway. • Discrepancy on site boundary with No.11. • Layout unsuitable for Fire appliances. • Planning Committee members should see the site in person. • Owner will not allow access to land between 1-3 Cricket Close. • Vehicle access route via Cricket Close and Broadway in 2017 proposal did not impinge on the land formerly occupied by the tennis club • Potential route for an access via the Broadway in the 2020/21 application and is more suitable to accommodate traffic generated by the development • Comments by Sports England are irrelevant as the road does not impact on the land formerly occupied by the tennis club 	<ul style="list-style-type: none"> • The planning application is published, and neighbours are notified of the proposals. All responses are taken into account. Revised plans can be expected for major developments. • Each application is assessed on its own individual merits against local and national planning policies and guidance. • Tennis club financial sum is not a material planning consideration. • Sport England are a statutory consultee for applications involving sports facilities. • Property value is not a material planning consideration. • The development would have to comply with the requirements of Building Control and Severn Trent Water re sewage. • Minimal level of disruption from future householder extensions are to be expected. • Proposed parking for No.11 is considered acceptable and a betterment over current reliance on third party land and overall improved natural surveillance to reflect 'Secured by Design'. • Reversing a vehicle onto the public highway safely would be a matter for the occupier. • Plans updated to reflect extensions added to No.11. • The Fire Officer has raised no objections to the proposal. • Officers' site photographs and presentation provide the necessary context for members of the Planning Committee. • Noted - land between 1 - 3 Cricket Close does not fall within the red line. • The proposed temporary access road would encroach onto the western corner of the tennis club land.
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<ul style="list-style-type: none"> Request a sound barrier on the boundary of the side with 3, 5, 7, 9 and 11 Broadway. A 6-8ft fence with soundproofing and for security. 	<ul style="list-style-type: none"> Access has been covered in the report Sports England comments are relevant as the land includes part of the tennis club This has been covered in the updated committee report.
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and S106 to secure urban open space contribution, affordable housing and landscape management company to manage landscaping subject to;</p> <ul style="list-style-type: none"> Independent review of Section 106 payment triggers and level of contribution sought To resolve tree issues raised by the Council's Arboriculturalist The amendment and finalising of conditions No further comments from a statutory consultee or neighbour raising material planning considerations not previously addressed 	

Plans list Item number: 2	
Application site address: The Bowman, Myatt Avenue, Aldridge, WS9 0DR	
Supplemental Information	Officer Comments
Applicant has provided a statement justifying the loss of the public house as a community facility. The property has been marketed for sale for some time and prospects of it being re-occupied as a public house are remote due to economic conditions as a result of the Covid19 pandemic	Noted. No change to officer recommendation.
Landscape management to be included within the Section 106 Agreement.	Noted. Recommendation updated accordingly.
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and s106 to secure Open Space contribution and landscape management and subject to:</p> <ul style="list-style-type: none"> The amendment and finalising of conditions; Satisfactory completion of a Section 106 agreement for open space Contribution and landscape management, and; Subject to no further objections from consultees to amended plans received 	

Plans list Item number: 3**Application site address: Redhouse Nursing Home, 55 Redhouse Street, Walsall**

Supplemental Information	Officer Comments
Plans list contents sheet incorrectly shows the proposal description instead of site address and should be Redhouse Nursing Home, 55 Redhouse Street, Walsall, WS1 4BQ	To note. No change to officer recommendation.
<p>Petition received with 63 signatures on grounds of anti-social behaviour and unsuitable location which have already been considered and addressed in the report:</p> 	To note. No change to officer recommendation.

<p>Additional letters of objection from occupiers of neighbouring properties raising further material planning considerations:</p> <ul style="list-style-type: none"> • Vetting of staff / end-users • Increased need in services • Increased littering 	<p>A Premises Management Plan is proposed by condition as set out in the report. The scale and nature of development is not considered would result in significant additional impacts on littering or local services. No change to officer's recommendation.</p>
<p>Additional letters of objection from occupiers of neighbouring properties raising further non-material planning considerations:</p> <ul style="list-style-type: none"> • Proposal pushed through in the 'cloak of the pandemic' • Authority doesn't reside in the area • Home/ car insurance will increase • Residents/ objectors didn't have access to the internet 	<p>These are not material planning considerations, and the Council has met its statutory duty to consult. No change to officer's recommendation.</p>
<p>Letter from Valerie Vaz - MP</p> <ul style="list-style-type: none"> • Lack of communication and transparency and queries the level of consultation carried out. Recommends application is withdrawn from Planning Committee. • Has an impact assessment been undertaken on levels of crime in this area? • Has a Housing Standards Report on this application been commissioned and published? • Separate application reference 19/1266 not yet determined and residents did not object to this. • Petition lodged against this proposal. • Inappropriate location and increased anti-social behavior and crime. • Queries how the proposal will be financed. • Ward has highest level of HMOs in the Borough, highest density population and high levels of crime and anti-social behaviour. 	<ul style="list-style-type: none"> • The Council has met its statutory duty to consult via letters posted to over 70 residents, erection of a site notice, and a press advert in September 2020 along with publication on the Council's website. • This has not been requested by the Designing Out Crime Officer who raises no objection but recommends security measures as set out in the report. • Housing Standards Team raise no objection subject to a Premises Management Plan and HMO License as set out in the report. • Noted - each application is judged on its own merits. • Noted – and included in this supplementary paper. • This is already considered and addressed in the report. • This is not a material planning consideration. • Noted – the proposal is considered acceptable for the reasons set out in the report. <p>No change to the officer's recommendation.</p>
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission and subject to:</p>	

- i. The amendment and finalising of conditions; and
- ii. No new material considerations being raised by consultees

Plans list Item number: 4 Application site address: Land at 5-7 Jesson Rd	
Supplemental Information	Officer Comments
Application has been withdrawn from the agenda for today's meeting at the request of the applicant's planning agent to allow sufficient time for the Local Planning Authority to consider additional submitted information and to carry out any necessary re-consultation.	To note.

Plans list Item number: 6 Application site address: 13 Somers Road, Walsall	
Supplemental Information	Officer Comments
Incorrect duplicate recommendation at end of report on page 101. Recommendation remains to refuse as set out in the report.	To note. No change to recommendation.
Recommendation: Refuse Permission	