



Planning Committee

Date: 11/7/19

Report of Head of Planning, Engineering and Transportation

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: 1 Site Address: The Substation, Park Lane, Darlaston	
Supplemental Information	Officer Comments
Reason for refusal 1 has not included the bin storage area and the fence that is beyond the front building line in an exposed location having an adverse impact upon the visual amenities of the area	Noted typographical error. Reason for refusal 1 to be updated to include the bin storage area and fencing in the street scene.
	Recommendation: Refusal with reason one updated
Item Number: 2 Site Address: 1 Freer Street & 28 Bridge Street	
Supplemental Information	Officer Comments
Condition 13 has the word 'not' missing. The Highway Authority have asked about the waste management strategy and whether the bins would be kept off street.	Noted. Typographical error. Condition 13 to be amended The Council's Waste management Team have confirmed, they know the proposed access to Bridge Street and that a standard euro bin would fit. They have also confirmed the development would require 1 x waste bin and 2x recycling bins (Bins are 1.1m's wide, 1m deep, 1.38 m's high). There is scope within the site to accommodate these bins. Waste Management have also confirmed they know who the existing bins on the footway belong. They have agreed, the door to access the sunken garden for the bins could do with being wider. This can be dealt with via a planning condition. Overall, it is considered that the euro bins for the application site could be stored off road.
Legal services have noted a	Noted.

number of typographical errors in the proposed conditions	
	Recommendation: Planning Committee resolve to Delegate to the Head of Planning, Engineering & Transportation to Grant Planning Permission Subject to Amended Conditions and s106 to secure contributions towards open space and waste management strategy.
Item Number: 3 Site Address: Hand Car Wash, Former Warreners Arms, High Street	
Supplemental Information	Officer Comments
A revised Design & Access Statement has been submitted in support of the application to clarify that the applicant is seeking a 12 month consent from the date of the decision on this current application.	Noted. The application has been assessed on the basis of a further 12 month consent and the development description reflects this.
A copy of draft sales particulars for the site prepared by Knight Frank have also been submitted in support of the application.	It should be noted that these particulars are still only draft and there is no evidence that the marketing of the site by Knight Frank has gone live yet.
	Recommendation: Refuse
Item Number: 4 Site Address: 2 Daneways Close	
Supplemental Information	Officer Comments
In the planning history section, planning application 15/0832/FL was approved on 4/9/15 not on 4/9/16 as stated in the report.	To be noted
A further letter on behalf of 3 residents has been received making the following comments;	
Third time the applicant has made changes that would have been refused at the original application stage	The planning legislation does not prevent applicants making amendments to their planning approvals. The amendments proposed have been recommended for approval as they are in accordance with planning policy and guidance

<p>Roof windows have an overbearing impact and overlooking of rear gardens, kitchen and rear bedrooms of number 9 downham</p> <p>The playroom one is to take it, its not intended to sleep in, do not see why a window is needed when daylight LED's can be used instead of natural light. If natural light is required, residents cant undertand why sun tubes cant be used. Amenity will be affected leaving residents with any aspect of privacy.</p> <p>Roof windows not in keeping with the street scene. Houses in the surrounding have little roof space and no roof windows. The proposal is out of keeping with the remaining properties.</p> <p>Legal services have noted a number of typographical errors in the proposed conditions</p>	<p>The impacts have been assessed in the report and found to be in accordance with planning policy and guidance.</p> <p>It is unreasonable to ask for the window to be removed, for future occupiers to rely on artificial light, especially when the window is in accordance with planning policy and guidance. As stated in the report, it is considered there are no privacy impacts as a result of this window.</p> <p>If surrounding houses have little roof space, this may account for why they don't have roof windows. The roof lights and the roof lights have been assessed and considered to be acceptable and not out of character.</p> <p>Noted</p>
	<p>Recommendation: Grant planning permission subject to amended conditions.</p>
<p>Item Number: 5 Site Address: 12 Skip Lane</p>	
Supplemental Information	Officer Comments
<p>Page 60 existing house measurements, refers to the exsting house being 7 metres high to the roof ridge. It should read 7.35 metres to the roof ridge.</p> <p>Valerie Vaz MP has written requesting a deferment of the planning application as the neighbor believes there are material errors in the report. For example; stated height and the development would extend beyond the building line. The MP refers to 14 Skip Lane beign refused by the Planning</p>	<p>Noted. Typographical error</p> <p>The Chair of planning has confirmed the application will be presented to the 11/7/19 committee.</p> <p>The height of the existing house is 7.35 metres and the proposed house 8 metres as detailed in the report. The proposed house does extend forward of the existing house and the immediate neighbours and is discussed in the observations of the report.</p> <p>14 Skip Lane was refused by the Council and the Planning</p>

<p>Inspectorate on many of the same grounds. The Inspector decided that the development would negatively impact on both the living conditions of neighbours and character of the street and listed the planning policies which the application contravened. It is unclear how the Planning Officer has come to the opposite conclusion and I note the officer is retiring at the end of the month.</p>	<p>Inspectorate as detailed in the report. 14 Skip lane was a larger proposal than currently being presented to planning committee. Any potential impacts the current application may have to neighbours are discussed in the report before committee</p> <p>Each planning application is assessed on its own merits and weighed against the material planning considerations. The case officer retiring is not a material planning matter in the determination of the planning application.</p>
<p>The MP continues explaining the neighbours are elderly and disabled and not in a position to make effective representations in time for the 11/7/19 committee</p>	<p>The planning application was deferred from the 17/6/19 committee to give time to the residents to read the report. They have now had in excess of 4 weeks to read the report and should they wish make further comment to the Council. Whilst the planning authority is sympathetic to the residents personal situation, it is noted that the neighbour has provided written responses each time they have been consulted by the council to changes received from the applicant and another neighbor has registered to speak on their behalf.</p>
<p>A further letter has been received from Valerie Vaz MP stating; Walsall MBC constitution planning guidance protocols set out a policy that a site visit may take place after a report has been received by the planning committee. My constituents, have requested that a site visit is arranged so the committee are able to see the impact of the proposed development on their property and the the street.</p>	<p>Whilst the planning committee has not carried out site visits since 2004, due to the advent of technology being able to present pictures and plans as part of the presentation, the Councils constitution states;</p> <p>3. PROCEDURES TO BE FOLLOWED ON PLANNING SITE VISITS</p> <p><i>3.1 A report must be received by Committee before a site visit can take place.</i></p> <p><i>3.2 The purpose of the site visit is to inspect the site and its surroundings to enable proper determination of the application. The reason for the particular site visit must be clearly stated and will be recorded in the minutes by the Clerk at the Committee meeting when it is resolved to inspect the site.</i></p> <p><i>3.3 The visit will take place at the earliest possible opportunity to avoid any undue delay in determination of the application. It will always take place prior to the next scheduled meeting of the Committee. A time and date for the inspection will be agreed with the Chairman within three working days of the decision to defer the application. Members should make every effort to attend the site visit, though participation in the discussion at the subsequent meeting of the committee that determines the application is not conditional upon having attended the site visit.</i></p> <p><i>3.4 If Committee are unable to visit a site as pre-arranged no decision on the application should be made until the visit has been re-arranged and carried out.</i></p> <p><i>3.5 The General Manager planning services will notify those parties whose permission will be required to gain access to the site of the time and date of the inspection. Notification of deferral of decision on the application and the intention to inspect the site will be given by the General Manager, Planning Services to all other interested parties.</i></p> <p><i>3.6 No decisions can be made during the site inspection: it is not a formal meeting of the Committee and no debate should take place on site. Members should not express any views on the application to any</i></p>

	<p><i>other parties present.</i></p> <p><i>3.7 The visit to each site will aim to commence at the allotted time and no earlier: unavoidable delays could take place due to traffic congestion. A Planning Officer will accompany Members on the coach or meet members at the site if coach transport is not arranged.</i></p> <p><i>3.8 At each site, the planning officer will summarise the proposals, remind members of the reason for the visit, and point out any features on site of particular relevance. Where the site can be seen from public roads there will be no need to meet any interested party to gain access.</i></p> <p><i>3.9 If the site is to be also viewed from adjacent land members should ensure that the inspection arrangements are carried out in full and that all invited parties are present at both the application site and on adjacent land/property, to avoid any claims of bias.</i></p> <p><i>3.10 The role of interested parties at the inspection is to allow access and/ or observe proceedings. Whilst Members may acknowledge interested parties, Members should not make any comments on the application or enter into discussion about issues raised by the application. Members may, however, ask questions of those present to obtain clarification in relation to matters of fact. Members should ensure that they remain together as a group throughout the site visit. They should not allow themselves to be addressed separately from the assembled group.</i></p> <p><i>3.11 The officer attending the site visit will make a note of the visit that will be placed on the planning application file. The note will record</i></p> <ul style="list-style-type: none"> <i>(a) The date and start/ finish time of the visit;</i> <i>(b) Details of those who were informed of the visit</i> <i>(c) Those Members, officers and all other parties present at the visit;</i> <i>(d) Any additional information revealed by the visit</i> <i>(e) The name of the officer who prepared the note, and the date of its preparation.</i> <p><i>3.12 This note will be submitted to the next meeting of the committee so that the outcome of the site visit can be taken into account when determining the planning application.</i></p>
<p>My constituents have engaged a surveyor who is unfortunately not able to provide his report in time for planning committee. I consider this a relevant consideration for planning committee to take account of in making a decision. I would be grateful if you could defer a decision on the planning application.</p> <p>Legal services have noted a number of typographical errors in the proposed conditions</p>	<p>The planning application was deferred from the 17/6/19 committee to give time to the adjacent constituents to read the report. They have now had in excess of 4 weeks to read the report and should they wish make further comment to the Council. Whilst the planning authority is sympathetic to the residents personal situation, it is noted that the neighbour has provided written responses each time they have been consulted by the council to changes received from the applicant.</p> <p>Noted</p>
	<p>Recommendation: Grant permission subject to amended conditions.</p>
<p>Item Number 8 Site Address: 72 Furzebank Way</p>	
<p>Legal services have noted a</p>	<p>Noted</p>

number of typographical errors in the proposed conditions	
	Recommendation: Grant permission subject to amended conditions.
Item Number 9 Site Address: 119 Collingwood Drive	
Legal services have noted a number of typographical errors in the proposed conditions	Noted
	Recommendation: Grant permission subject to amended conditions.
Item Number: 10 Site Address: 6 Three Crowns Close	
Supplemental Information	Officer Comments
Name of the Councillor calling the application before planning committee is missing from the front page due to a typing error	For clarity, it was Councillor Andrew for; Public interest and to support as development rights removed from the site. As these houses are within the green belt and the development utilized all of the former schools footprint, permitted development rights were removed. Consequently, very special circumstances (VSC) are required to support the planning application. As the applicant has not provided VSC consequently, the application is recommended for refusal as set out in the report
	Recommendation: Refuse
Item Number: 11 Site Address: 190 Sutton Road	
Supplemental Information	Officer Comments
A request from Councillor Hussain to defer the application for one committee cycle	Chair of planning committee has agreed to the request
	Recommendation: Defer one cycle
Item Number: 12 Site Address: 69 Highgate Road	
Supplemental Information	Officer Comments
One further letter of objection has been received, but not raising any further material planning consideration. Legal services have noted a number of typographical errors in the proposed conditions	The matters raised are considered in the report.
	Recommendation: Grant permission subject to amended conditions.