



Walsall Council

Development Management

PLANNING COMMITTEE

Report to the Head of Planning and Building Control

27 April 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: Unit 3 Walsall Road	
Supplemental Information	Officer Comments
Condition 8 to be reworded to include the following wording. "Prior to the commencement of development (including vegetation / site clearance) an Ecological Management Plan shall be submitted in writing to and approved in writing by the Local Planning Authority. The approved plan shall be	Recommendation allows for finalising conditions.

implemented in full according to the approved specified timescales.	
Condition required in relation to full details of plant equipment as set out within the report.	The recommendation allows for finalising conditions.
116 car parking spaces are proposed. Report specifies 100 proposed car parking spaces	Number of proposed car parking spaces incorrectly referred to in the committee report.
<p>Amended comments submitted from Walsall Local Highway Authority. Key points as follows:</p> <p>Notwithstanding the figure of 163 spaces of quoted in para 8.2 of the submitted Transport Statement as being the maximum requirement under Walsall Council's UDP T13 car parking requirement, the figure omits to include the required 10% disabled provision therefore taking the maximum of number of required spaces to 180 based upon 1 space per 14sqm GFA for a store of 2,275sqm GFA.</p> <p>The proposed level of provision of 116 spaces is therefore around 65% of Walsall's UDP T13 parking policy maximum.</p> <p>An estimated car parking accumulation study has been submitted in the Transport Statement covering the likely peak times for the store during weekdays and Saturdays which predicts that no more than 70 parking spaces will be utilised at any one time and so the 116 spaces is more than adequate to serve the development. This is based upon Trics trip survey data using the Retail Floor Area and the Gross Floor Area and not empirical evidence from other similarly located Lidl stores.</p> <p>However, due to the location of the site access being within Sandwell, if the actual usage of the car park exceeds the 116 spaces provided when the store is operational, the likely impact on the public highway will fall within Sandwell and not within Walsall.</p>	<p>Noted. The recommendation allows for finalising conditions to incorporate the recommended conditions from the Local Highway Authority. The Travel Plan will be secured through a S106 agreement.</p>

On balance, taking into account the location of the site close to residential areas with good walking/cycling and public transport links, the Highway Authority considers the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation on Walsall's road network and is acceptable in accordance with the NPPF 2021 paragraph 111.

In light of the comments above, subject to Sandwell Council approving the new access onto Walsall Road (A4031), the Highway Authority supports the proposal, subject to the conditions in relation to car parking, cycle facilities and a Construction Environmental Management Plan.

Travel Plan

As part of the application there is the requirement for the submission of a Framework Travel Plan. Travel Plan February 2023 Doc Ref: SCP/190922/TP/01

The Travel Plan needs to accord with the Walsall Council approved document Customer Guide to Completing Planning Obligations (Section 106 Agreements and Unilateral Undertakings)

Air Quality Assessment

The AQA Air Quality Assessment uses a Defra calculation to assess the impact of the development on Air Quality for the area. In monetary terms it states the Air Quality Damage Cost impact will be £38,802 and this will be addressed through the Travel Plan. On review of the Travel Plan there is no reference to the Damage Cost, no reference to the mitigation, or any breakdown

<p>how this will be achieved. Walsall Council as the highway Authority have asked the developer to address this.</p> <p>Transport Assessment The Travel Plan says to encourage walking and cycling the development will reduce Road Danger and protect vulnerable road users. In the Transport Assessment it says that the applicant has concerns about pedestrian and cycle movements across to the store. It suggests that the speed of the road be reduced from 40mph to 30mph, and Walsall and Sandwell Councils should work together to get the road speed reduced in time for the new Store opening. Walsall Council have asked the Applicant to review their design to address the road safety concerns as part of the Travel Plan. It would not be within Walsall Council's remit to reduce the speed of the road.</p>	
<p>The paragraph relating to the Green Belt should read as follows:</p> <p>As part of the application site is located within the Green Belt therefore the main consideration is whether the proposal represents development that is not inappropriate in the Green Belt. NPPF section 13 sets out a list of types of development that are not inappropriate. These include limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.</p> <p>The part of the site that is the Green Belt is currently a car park and is to remain in this use. As such, the proposal represents development that not inappropriate in the Green Belt.</p>	<p>The paragraph relating to the Principle of Development and Green Belt was written with consultation with Planning Policy.</p>

12 letters of support have been received from local residents both within Walsall and Sandwell. Their support relates to: <ul style="list-style-type: none"> • Need for a foodstore in the area • Type of foodstore is affordable for local community • Local residents can walk rather than drive • Creation of jobs • Will improve the visual amenity of the area 	No new material considerations raised.
The LLFA responded on 25/04/23 to the applicant's information submitted on 14/04/23 requesting two points of clarification.	The LLFA response has been forwarded to the applicant to consider and respond. The recommendation allows for overcoming LLFA concerns prior to a decision being issued.
Sandwell Council have determined the planning application DC/23/68073 -Proposed creation of highway access and associated highway works which was granted subject to two conditions relating to time frame for implementation and the approved plans.	The proposed access is within the borough of Sandwell as set out in the report. A Grampian condition has been attached within the officer report to ensure that the access is implemented prior to the rest of the development which falls within the borough of Walsall. No change to the recommendation.
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and a Section 106 Agreement to secure a Travel Plan and subject to:</p> <ul style="list-style-type: none"> • The amendment and finalising of conditions • Overcoming the outstanding concerns raised by Lead Local Flood Authority 	

Plans list Item number: 2	
Application site address: Aaina Women's Centre, Bath Road, Walsall, WS1 3BS	
Supplemental Information	Officer Comments
Item removed from the Planning Committee agenda at the applicant's request.	Noted
Recommendation: Refuse	

Plans list Item number: 3	
Application site address: Land to The Rear 107 And 109, Lichfield Road, Bloxwich, Walsall, WS3 3LU	
Supplemental Information	Officer Comments
Item removed from the Planning Committee agenda at the applicant's request.	Noted
Recommendation: Refuse	

Plans list Item number: 4	
Application site address: 11 Knights Hill, WS9 0TG	
Supplemental Information	Officer Comments
The applicant's agent has submitted a supplementary statement for consideration at Committee as follows:	
In relation to impact on the Green Belt. The statement raises no new issues but expresses disagreement with the officer's interpretation as to what constitutes a material increase in the size of the replacement building. He also disagrees with the officer's view as to what constitutes a village infill.	Noted.
The trees to be removed to the front of the existing house are stated as being of poor quality in the arboricultural report but that they could be retained. In relation to the trees around the proposed infill house, these trees would not be affected as they are set well away from the area.	The Tree Officer has provided comments on the Arboricultural Report and recommended refusal which has been included in the recommendation.
In relation to the bat survey being out of date, the applicant's agent states that this is the result of the length of time that the	This issue has been dealt with in the report, recommendation remains unchanged.

<p>application has been in the system and that there was no evidence of bats.</p> <p>The statement concludes by reference to another application for two houses in the Green Belt being allowed at appeal.</p>	<p>All applications are considered on their own merits. The example cited is outside the borough. Recommendation remains unchanged.</p>
<p>Recommendation: Refuse</p>	