



## Planning Committee

Date: 29/11/18

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.

<b>Tree Report                      Site Address: Drayman Close</b>	
<b>Supplemental Information:</b> A plan of the site is attached as Appendix 1 at the end of this supplementary paper.	To note.
	<b>Recommendation:</b> Remains as set out in the report.
<b>Item Number: 1                      Site Address: Land south of Village Hotel, Tempus Drive, Walsall</b>	
<b>Supplemental Information:</b>  The Council's Ecology consultant – seeks further information regarding biological records, impacts on water vole if present, impact on water level of the Sneyd Brook and an Ecological Management Plan.  Conditions – as per the legislation requirements the recommended pre-commencement conditions have been shared with the applicant's agent.	Discussions between the Ecologists are ongoing. The recommendation is amended to delegate the decision to resolve these issues.  The ten working day consultation period required by the legislation expires after the committee meeting. The amended recommendation takes account of this.
	<b>Recommendation:</b> Planning Committee resolve to delegate to Head of Planning, Engineering & Transportation to grant planning permission subject to conditions and subject to overcoming the ecology concerns and the pre-commencement conditions process.
<b>Item Number: 2                      Site Address: Shopping Precinct Ravenscourt, Brownhills</b>	
<b>Supplemental Information:</b>  The planning agent has provided the following clarification:	<b>Officer Comment:</b>

<ul style="list-style-type: none"> <li>- Lightquote is the applicant company.</li> <li>- The Ecologist has advised that the survey data expired in August 2018 and would need to be done again. It is suggested that a condition is applied requiring no works to the buildings permitted until further bat surveys are undertaken.</li> <li>- We are content that fencing will be a condition.</li> <li>- Front Gates are staying as they are.</li> <li>- A plan has been submitted that illustrates the extent of the land to be stopped up. Planning permission needs to be approved before the stopping up order can be made.</li> <li>- We have no objections to the pre commencement conditions suggested.</li> <li>- Additional Section Drawing, unable to produce this in the time given. If it is absolutely necessary, then we may be able to do this in time for committee on the 28<sup>th</sup>.</li> <li>- Some of the plans provided have had to be reduced in size so they could be emailed.</li> </ul>	<p>Noted</p> <p>Noted. A planning conditions seeking an amended ecological survey cannot be attached. The application will have to be held in abeyance until an updated ecological survey can be produce, as it is a material planning consideration in the determination of the aplciation in accordance withteh Development Plan and Conserving Walsall's Natural Environment SPD.</p> <p>Noted</p> <p>Noted</p> <p>Noted, plan forwarded to Highways for consultation. The stopping up proceedure may be delayed due to the above.</p> <p>Noted</p> <p>Additional drawing requested for 28 November 2018</p> <p>Higher resolution plans are requested for planning committee meeting.</p>
	<p><b>Recommendation:</b> Amended: Planning Committee resolve to delegate to Head of Planning, Engineering &amp; Transportation to grant planning permission subject to no new material consideraitons being received within the consultation period, subject to the amendment and finalising of conditions, submission of a cross section drawing and submission of an up to date ecology report during the bat season May to September 2019.</p>

<b>Item Number: 3 Site Address: Goscote Site B</b>	
<p><b>Supplemental Information:</b> In the observations section (pg 63/64) to confirm the Canal &amp; River Trust have made no new request for canal improvements.</p> <p>The recommendation refers to the need to resolve outstanding issues raised by tree officers – this is an error.</p>	<p><b>Officer Comments:</b> To note.</p> <p>There are no tree issues.</p>
	<p><b>Recommendation:</b> Amended: Planning Committee resolve to Delegate to Head of Planning, Engineering &amp; Transportation to grant planning permission subject to conditions and a S106 Agreement for affordable housing and subject to the amendment and finalising of conditions and no further comments from statutory consultees raising material planning considerations not previously addressed.</p>
<b>Item Number: 4 Site Address: WH Marren site, Temple Bar, Willenhall</b>	
<p><b>Supplemental Information:</b> The agent has made the following comments in response to tree objections:</p> <p>Plot 22: tree T5 is a very mis-shapen tree due to the fact that it has grown next to the 4m high concrete fence which used to form the boundary with the metal scrap yard. With regards to any overshadowing the orientation of the tree, including T3 and T4, falls to the west and north of the site into the gardens of the adjoining properties and not into the garden of plot 22. The only time when the trees create any shadow will late afternoon/early evening. With regards to the amount and quality of amenity value these trees provide, they are situated at the rear of private gardens and can currently not be seen from any public areas.</p> <p>Trees T12, T13 and T14: There is no record which is publicly available that shows what has been agreed as a replacement, neither species or position of</p>	<p><b>Officer Comments:</b></p> <p>The recommendation seeks authorisation from committee to delegate to officers resolution of outstanding tree officer concerns. The matters raised by the agent in relation to existing trees are noted and the information is shared with the Tree Officer.</p> <p>Complaints in relation to the public register are not determining issues of this planning application and officers will investigate the complaint separately.</p>

<p>replacement trees. The agent asked if they could see copies of the amendments made to the order under Section 69 of the Town and Country Planning Act which requires a public register to be maintained of any changes made.</p> <p>Plot 20-21: the plan shows that the proposed houses do not interfere with either the canopy nor the RPZ of the trees. Also, and the same applies as with plot 22, the shadows given by the trees do not fall across the gardens of plots 20 &amp; 21 but instead affect the gardens to the neighbouring gardens.</p> <p>Plot 18: the trees adjacent to plot 18 are within our site and are shown to be removed. There is no public record of these trees being protected. The proposed layout for the site shows plenty of opportunity for replacement trees to be accommodated which would provide much better amenity value.</p> <p>Further pollution control comments:</p> <p>A Construction Environmental Management Plan is required to protect nearby residential premises during the redevelopment of the site. Pollution Control require further contaminated land investigation, remediate the land where necessary, and provide precautionary measures to protect future occupants. The development needs to incorporate acoustic glazing, acoustic ventilation, and acoustic fencing to protect future residents. Electric-vehicle charging points and ultra-low</p>	<p>Conditions are already recommended to address the above requirements, condition 10 is amended to reflect additional Pollution Control comments.</p>
--	--

NOx boilers are required for each property to comply with the Air Quality SPD.	
	<b>Recommendation:</b> As set out in the report.
<b>Item Number: 5 Site Address: 74 and 75 Stafford Street, Willenhall</b>	
<p><b>Supplemental Information:</b> A further objection received raising the following points:</p> <ul style="list-style-type: none"> <li>- concerns over the parking survey as it only takes into account PM parking and not daytime parking when the market is on and people visit doctors and businesses.</li> <li>- survey should take into account both daytime and evening parking needs</li> <li>- congestion in Croft Street from cars blocking bins on street with refuse vehicles unable to gain access</li> <li>- Croft Street businesses struggle to receive deliveries</li> <li>- on street parking on corners causes congestion</li> <li>- neighbours have driveways blocked by cars</li> <li>- not ample parking as survey suggests</li> <li>- on site spaces for residents required.</li> </ul> <p>Two structural reports submitted which conclude:</p> <ul style="list-style-type: none"> <li>- The building is generally in a very poor structural condition.</li> <li>- Several walls or sections of walls have already collapsed and others are on the point of collapse or are severely damaged.</li> <li>- The collapse of walls has led to severe damage to the roof structure and also</li> </ul>	<p><b>Officer Comments:</b> The application site is in private ownership and the Council has no control over parking. Any unauthorised parking within the application site is at vehicle owners own risk and should not be relied on for customer parking to visit the medical centre or local businesses in the centre. The medical centre to the rear of the site has vehicular access from Croft Street with their own parking.</p> <p>Croft Street has double yellow lines on one side of the road, any parking on these yellow lines is a matter for Traffic Management to enforce. Any issues regarding highway obstruction is a matter for the Police to pursue.</p> <p>The scheme has been amended to include 5 parking spaces within the site curtilage accessed from Fox Avenue.</p> <p>Noted.</p>

<p>to collapse of sections of the first floor.</p> <ul style="list-style-type: none"> <li>- The property is affected by significant subsidence causing differential movement affecting the front right hand corner and other areas of the property. Such movement could be caused by poor foundations/ground conditions or by the collapse of shallow mine workings.</li> <li>- The property has also been damaged by an arson attack affecting the right hand wing and by vehicular impact on the rear elevation.</li> <li>- Sections of the property in its current condition could collapse at any time. Such collapses would impinge on the structural stability of the remaining structure.</li> <li>- In view of the very poor current structural condition of the existing structure it would be prudent to demolish the buildings before further local collapse damages the structural integrity of the remaining structure and poses a threat to the public due to the proximity of the buildings to the public footpath</li> <li>- the fabric has deteriorated to the point where it is no longer an option to economically restore the building.</li> <li>- The cost of restoration would far exceed the value of the restored property.</li> </ul> <p>The agent has confirmed in writing the pre-commencement</p>	<p>Pollution Control have advised it is not possible to apply enforceable conditions to secure compliance with</p>
---	--

<p>conditions are acceptable but queries the ground gas condition asking if a clause on ground gas could be offered as opposed to a condition, as at building regulations stage this would be addressed.</p>	<p>Contaminated Land requirements through the Building Regulation process. Given that the application only seeks outline permission for built development the condition does not impose any excessive additional cost on the applicant.</p>
<p>The relevant plans have been clarified to be included in the plans list condition.</p>	<p>Condition 4 to be updated to include the land ownership plan and dray lorry swept manoeuvring areas plan.</p>
<p>An additional condition is required to provide a cross section of the proposed vehicle access point off Fox Avenue and the proposed pedestrian access from Stafford Street.</p>	<p>Noted. This is required to ensure the access points are accessible by both pedestrians and vehicles.</p>
<p>The Archaeology Officer has sought a condition requiring a desk based assessment and building recording prior to demolition and a trial trench evaluation after demolition.</p>	<p>Noted</p>
<p>Page 125 of the report refers to the application being mostly garden land. This is an error.</p>	<p>Noted</p>
<p>A copy of a letter from a solicitor has been submitted by the occupier of 77 Stafford Street regarding a right of way that was sent to the land owner advising that the owner of 77 Stafford Street has a right of way.</p>	<p>Noted. This has been addressed in the officer's report to committee and is a civil matter.</p>
<p>The Planning Agent has submitted a copy of the letter sent to his clients regarding the land ownership issues and written objections received.</p>	<p>Noted.</p>
<p>The applicant queries the need for condition 17 (relocation of the street light) as they do not own the street light and in their opinion it is the responsibility for the Council/highways responsible to reinstate any non working</p>	<p>The Highway Authority does not agree with the applicant's reasoning and <b>will</b> require the relocation of the street lighting column as required under Condition 17. The existing position of the column is within very close proximity of proposed windows on this elevation and it is very likely that light spillage will impact on residents of these flats ultimately resulting in requests to the Council for</p>

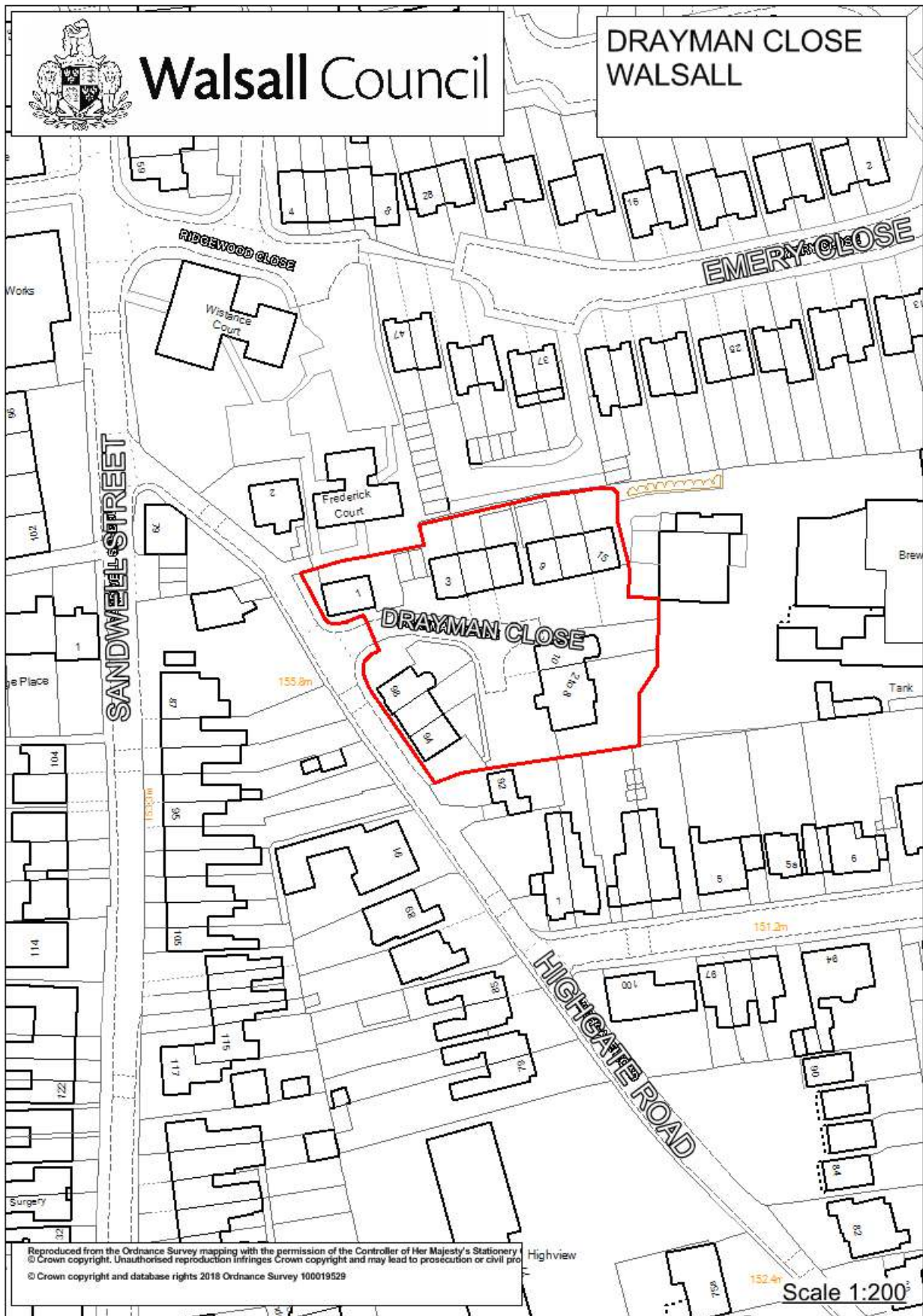
street lamp. There is lighting from provided from the public house to Fox Avenue and there is no duty for the applicant to provide above and beyond lighting to an area not controlled by the applicant.	its relocation. Therefore it is the opinion of the Highway Authority the agent/architect has quite rightly, as part of good design practice, relocated the column to minimise its impact on both residents and the general public with the expectation that this work is undertaken as part and parcel of the development. It is quite usual for street furniture such as street lights etc to be moved to accommodate developments being part of the development build costs and not a cost to the Council. If the applicant is insistent on the column remaining in its current position then the Highway Authority would have no alternative but to <b>object</b> to the application until such time as the development proposals are revised accordingly.
	<b>Recommendation:</b> Amended: Planning Committee resolve to delegate to Head of Planning, Engineering & Transportation to grant outline planning permission subject to the amendment and finalising of conditions.
<b>Item Number: 6 Site Address: University of Wolverhampton, Gorway Road, Walsall</b>	
<b>Supplemental Information:</b>  Agent has confirmed, the illumination of the two entrance totem signs will be switched off at 10pm although they haven't yet confirmed when the lights will be switched back on.	<b>Officer Comments:</b>  Noted. A safeguarding condition can be attached to any approval, subject to the agent/applicant confirming when the entrance totem lights will be switched back on.
	<b>Recommendation:</b> Planning Committee resolve to delegate to Head of Planning, Engineering & Transportation to grant planning permission subject to amended conditions.
<b>Item Number:7 Site Address: The Sneyd, 67 Vernon Way, Bloxwich</b>	
<b>Supplemental Information:</b> Letter on behalf of Mossley Residents Association in support of the proposal because it would tidy a derelict site.  A additional letter of support has been received concerns raised about tipping and gypsies.	<b>Officer Comments:</b> To note  As explained in the report these issues can be addressed through planning enforcement powers.
	<b>Recommendation:</b> As set out in the officers report.



Item Number: 10 Site Address: 127 Longwood Road	
<p><b>Supplemental Information:</b> The front page of the petition referred to in the report is attached below in Appendix 2.</p> <p>The determining issues list in the report is missing Ecology.</p> <p>6 additional objections have been received which have raised the following additional issues.</p> <p>The Council is not keeping residents up to date.</p> <p>The current consultation expires on 4<sup>th</sup> December 2018.</p> <p>Light pollution</p> <p>The traffic lights will result in cars waiting on the main road.</p> <p>Light pollution from traffic lights</p> <p>Proposed waiting bay not large enough.</p> <p>If lights break down how is traffic managed.</p> <p>Peak times could require more than the available bay.</p> <p>Visibility issues from bay don't take account of pedestrians.</p>	<p><b>Officer Comments:</b> To note</p> <p>To note</p> <p>To note</p> <p>Consultations have been sent whenever there has been amendments to the scheme.</p> <p>Officers are confident that all of the material considerations are covered in the report and that there is unlikely to be any new material considerations as a result of the consultation. Nevertheless the delegation allows for any further representations raising new material considerations to be taken into account.</p> <p>Details to restrict the lux of any lighting can be controlled and conditioned through a reserved matters application.</p> <p>To note</p> <p>Could be controlled through condition.</p> <p>To note – the officer recommendation is one of refusal and encompasses these concerns.</p>
	<b>Recommendation:</b> As set out in the officers report.

<b>Item Number: 11 Site Address: House in the Wood, Streetly Wood, Sutton Coldfield</b>	
<p><b>Supplemental Information:</b> As set out in the report the Enforcement Officer has visited the site to check the details of the current construction. The applicant's agent has also submitted a position survey drawing showing the 'setting out' of the build.</p>	<p><b>Officer Comments:</b> The build has reached damp proof course height. Officers are disappointed to find that the works on site do not match those approved under the terms of planning permission 15/1635. A position survey drawing from Beacon Land Surveys and the measurements from the Enforcement Officer confirm that the position of the development is in accordance with that proposed as part of this current planning application.</p> <p>As set out in the report the changes are considered acceptable in planning terms.</p>
	<p><b>Recommendation:</b> As set out in the officers report.</p>
<b>Item Number: 12 Site Address: 49 Green Lane</b>	
<p><b>Supplemental Information:</b> An amended plan to accurately show the position of the boundary wall/fencing that takes into account the ground level changes at the rear has been provided.</p> <p>An additional condition is recommended to restrict the height of the roof to no greater than 2.2 metres in height.</p>	<p><b>Officer Comments:</b> Re-consultation undertaken (expires 10 December) hence the need to amend the recommendation.</p> <p>To mitigate any impact on the amenities of neighbouring properties.</p>
	<p><b>Recommendation:</b> Amended: Planning Committee resolve to Delegate to the Head of Planning, Engineering &amp; Transportation to grant planning permission subject to conditions and subject to no new material planning considerations being received within the consultation period.</p>

## APPENDIX 1



## APPENDIX 2

Planning Application Outline 16/1888

Petition summary and background	<p><b>ECONOMY AND ENVIRONMENT</b></p> <p>09 MAR 2017</p>	<p><b>LAND REAR OF 127 LONGWOOD ROAD, ALDRIDGE</b></p> <p>Redevelopment of redundant equestrian centre (D2) to Residential development of 5 dwellings use C3</p>
Action of petition	<p>RECEIVED</p>	<p>We the undersigned are concerned residents of Longwood Road, Who Refuse the application to 5 dwelling at rear of 127 Longwood Road</p>

Printed Name	Signature	Address	Comment	Date
[REDACTED]	[REDACTED]	127 Longwood Road. Aldridge WS9 0TB	Refuse [REDACTED]	25/02/2017
[REDACTED]	[REDACTED]	"	Refuse [REDACTED]	25/02/17
[REDACTED]	[REDACTED]	145 Longwood Road WS9 0TB	Refuse.	26/2/17
[REDACTED]	[REDACTED]	145 Longwood Rd WS9 0TB	Refuse	26/2/2017
[REDACTED]	[REDACTED]	145 Longwood Rd WS9 0TB	Refuse	26/2/2017
[REDACTED]	[REDACTED]	159 Longwood Road	[REDACTED]	26/2/2017