



Planning Committee

Date: 09/01/2020

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: Land north of Royal Oak, Bosty Lane	
Supplemental Information	Officer Comments
Amend recommendation to allow for amendment and finalising of conditions.	To note
	Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to: <ul style="list-style-type: none">The amendment and finalising of conditions;
Item Number: 2 Site Address: Former Harvestime Bakery, Raleigh Street, Walsall	
Supplemental Information	Officer Comments
12 further objections have been received from neighbours on the following grounds; Parking Loss of street parking because of drives Disruption and disturbance from entrance on Raleigh Street	 The Local Highway Authority has confirmed there is sufficient parking for the proposed development The design of the scheme along Raleigh Street has been designed to retain as much on street parking as possible in accordance with the Local Highway Authorities request The objector has not explained or provided evidence regarding their concerns. Based on the proposed scheme, the Councils consultees have no objections to the proposal to sustain this objection.

Increased traffic and j10 of the M6 already causes problems	No evidence has been provided to sustain this objection. The Local Highway Authority has confirmed no objection to this application
Too big for area Impact on schools and healthcare provision	No evidence has been provided to sustain this objection. Key consultees have no objection to the proposal, plus the Council's Sites Allocation Document adopted by the Council in January 2019, allocated this site for residential redevelopment of this scale. The current proposal is in accordance with the policy allocation
Flytipping and maintenance of new site	The site has suffered from some fly tipping. Redevelopment to housing will assist in managing this
No CCTV to prevent crime	CCTV does not prevent crime, it just helps record incidents. The development has been designed to maximize passive and natural surveillance to manage anti social behavior and reduce crime within and adjacent the immediate locality without the need for CCTV
Why is Neale Street not used for access	No need to include Neale Street, a private road, as there are suitable alternative access points from the public highway to the site
How will the site serve another transit community and property speculators	No evidence has been provided to sustain this objection. The proposal is for an 88 residential redevelopment (18 flats, 70 houses) in accordance with the Council's development plan with funding from the West Midlands Combined Authority
No community funding offered and long term residents will be affected by resourcing issues	The Council can secure urban open space contributions which is for the benefit of the community, subject to viability of the development. The Council's planning process can not secure community funding for neighbouring residents as the council doesn't have planning policies for this
Junction off Jessel Road will be tight and dangerous. Too much crime and a one way street is needed.	The Local Highway Authority have no objections to the development as presented to planning committee. No evidence has been provided of violent incidents, although officers are aware that there have been issues between drivers on Raleigh Street. These issues between drivers are not material planning considerations and a matter for the Police.
Agent says design is sensitive and won't have a negative impact but where will we park. (photograph of on-street parking	The Local Highway Authority has confirmed there is sufficient parking for the proposed development. Officers are aware that the existing terraced streets do have outstanding parking issues. This is the same for any

<p>provided by resident)</p> <p>A resident has questioned the Council's report that states; The proposed development will generate less than one additional vehicle in the morning and evening peak periods. The traffic will be distributed/assigned on to the local highway network via the three different access which will disperse traffic safely across the local highway network</p> <p>Competition for parking spaces and existing parking concerns in the locality</p> <p>Developers should widen Jessel Road and Raleigh Street</p> <p>Fire tender likely to get stuck and blocked by parked cars</p> <p>No Natural England or historic environment objections</p> <p>Severn Trent Water have advised that for them to consider a connection to the public sewer for all surface water they require that the use of soakaways is investigated. If these are proven to not be feasible (with satisfactory evidence) they will consider a connection to the public surface water sewer. Calculation to show how the 8.2</p>	<p>terraced streets of houses any where in the country. The Council is required to determine the application before them which cannot resolve the existing parking problems the community has.</p> <p>The highway authority advises the planning authority on highway matters using traffic data, comparing the existing planning use of the site in comparison to the proposed planning use of the site. The highway authority confirm the development is acceptable as presented to planning committee</p> <p>Competition for parking and parking issues in the locality are not material planning considerations. The development provides sufficient parking for its own needs</p> <p>Whilst it is noted that these roads do have substantive on street parking, the highway authority have confirmed the development is acceptable in highway terms, including the accesses on to Raleigh Street, Jessel Road and Hollyhedge Close. There are no material planning reasons to require the developers to widen any of the adjacent public highway.</p> <p>This is not a material planning consideration. It would be a matter for the Police and the Fire Service</p> <p>Noted. Council's ecologist has no objections to the development</p> <p>The drainage planning condition will be revised to include this requirement.</p>
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<p>litres/second discharge rate was achieved will be required.</p> <p>Archealogist confirms an evaluation has been undertaken and currently awaiting the outcome</p> <p>Councillor Hussain has provided a 121 signatory petition (last page of the supplementary paper) on behalf of the local community confirming; <i>'We neighbours of the Former Harvestime Bakery, Raleigh Street, object to the planning application in its current form due to not addressing or meeting our concerns regarding the increased traffic flow, insufficient parking, reduction in street parking and lack of public amenities'</i>.</p> <p>The Council's independent valuer has reviewed the applicants viability assessment (including £1.5m WMCA grant) confirming;</p> <p>The applicants affordable housing mix offer (18 one bed apartments, 2 two bed houses, 2 three bed houses) makes the development viable to pay the £135,171.00 policy compliant urban open space</p> <p>If the applicant provided the council's housing policy compliant affordable housing mix (8 one bed flats in a separate building, 14 houses to include 2 four bed houses or 22 houses including 2 four bed houses), then the development would not</p>	<p>Once the archealogist has had an opportunity to review the site evaluation they may have conditions they wish to impose. Recommendation will be updated accordingly</p> <p>Whilst the residents concerns are noted, the highway authority using traffic data, comparing the existing planning use of the site in comparison to the proposed planning use of the site. The highway authority confirm the development is acceptable as presented to planning committee. The development provides sufficient parking. There is no planning requirement to provide parking for housing outside of the development. The development design has endeavoured to balance providing a safe and secure environment whilst retaining some of the on street parking in the surrounding roads. The original outline application, was refused for lack of public amenities, however the current proposal is secure off site urban open space contribution, which would address this concern, subject to the outcome of the viability process.</p> <p>The applicant disputes to conclusion of the independent review of the applicants viability assessment. They have confirmed they will only offer their affordable housing mix as they have agreed this with a registered provider. In addition, they have offered £50,000.00 for urban open space in lieu of the £135,171.00 policy compliant requirement.</p> <p>If planning committee agree to the reduced urban open space contribution, given the development is considered viable, it is suggested that an uplift clause is included in the S106 at 70% of the development completion.</p> <p>Given the conclusion of the independent assessment, it is recommended that planning committee accept the applicants affordable housing mix and seek the full urban open space contribution of £135,171.00.</p> <p>Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the 3 following statutory tests to make the development acceptable in planning terms:</p>
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<p>be viable to support payment of £135,171.00 policy compliant urban open space</p>	<ul style="list-style-type: none"> • necessary to make the development acceptable in planning terms; • directly related to the development; and • fairly and reasonably related in scale and kind to the development. <p>These tests are set out in The Community Infrastructure Levy Regulations 2010 (as amended) Regulation 122 and National Planning Policy Framework paragraph 56.</p> <p>Based on the three tests in the legislation, it is considered that an urban open space contribution is considered necessary to make the development acceptable in planning terms. For the monies to be spent and meet the second test, the local planning authority advises planning committee to direct urban open space contribution towards Reedswood Park urban open space. This urban open space would be considered directly related to the development as it is within a reasonable walking distance of the development site as it is the closest location to the development site. Should planning committee wish the money spent at a different urban open space, they would need to provide a planning land use justification why the closer urban open space location has been discounted and explain why the alternative location would be directly related to the development site. The urban open space contribution, given its value, is considered it would meet the third test of being fairly and reasonably related in scale and kind to the development.</p> <p>Recommendation has been updated to take account of the retirement of the retirement of the Head of Planning, Engineering and Transportation and the conclusion of the viability assessment</p> <p>See Appendix for copy of front page of Petition</p>
	<p>Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to amending and finalising conditions and a S106 Agreement to secure contributions towards the provision of Affordable Housing (18 one bed apartments, 2 two bed houses, 2 three bed houses), Urban Open Space £135,171.00 to be spent in Reedswood Park for maintenance and urban open space improvements, On-site Landscaping Maintenance; Monitoring; and subject to:</p> <ul style="list-style-type: none"> • No new material considerations being received within the re-consultation period; • No further comments from a statutory consultee

	raising material planning considerations not previously addressed;
Item Number: 3	Site Address: Land adjacent 24 Woodward's Road, Walsall
Supplemental Information	Officer Comments
<p>Conditions 7 and 8 require additional wording to be added to require details to be implemented</p> <p>Condition 11 to be deleted as it doesn't meet the 6 tests for imposing conditions, as the information can be secured via third party legislation</p> <p>Condition 12 to be deleted as it repeats condition 10</p> <p>Condition 13 to be updated to make it compliant with the 6 tests for imposing conditions</p> <p>Consultees responses</p>	<p>Noted. Resolution shall be updated to amend the conditions</p> <p>Noted.</p> <p>Noted.</p> <p>Noted</p> <p>Sports England – No comment and offered general guidance /advice Highways England – No objection Historic England – Support Housing Standards – No comments Network Rail - No impact on the railway Health and Safety Executive – Offered general guidance /advice National England – No comments Severn Trent Water – No objections subject to condition drainage plan and approved details plans and informative being imposed. Transportation (Highways) – No objections subject to an engineering details plans, parking/vehicle manoeuvring plan, Construction Methodology Statement plan, visibility play plan and informative should be imposed. Archaeology - 'no archaeological implications' West Midlands Fire Service – No adverse comments West Midlands Police - No objection but offered designing out crimes informative. Birmingham and Black Country -The Wildlife Trust – Agree with the Ecologist Canal and River Trust – No objection but offered Canal & River Trust advice informatives Local Access Forum – No objection but felt there would be an increase in traffic</p>

	<p>Pollution Control – offered advice on agreements with the public house, agree noise impact and sustainable initiatives</p> <p>Flood Authority – No objections subject to following flood preventative conditions being imposed:</p> <p>Public Rights of Way – No objections/ requirements</p> <p>Ecologist – Protected species conditions and informative should be imposed</p> <p>Recommendation updated to take account of the consultee responses</p>
	<p>Recommendation: Planning Committee resolve to delegate to the interim Head of Planning and Building Control to GRANT PLANNING PERMISSION subject to amending and finalising conditions and a Section 106 Planning Obligation to secure an Urban Open space contribution; a landscape management plan for the maintenance of the hard and soft landscaping within the development site; and subject to</p> <ul style="list-style-type: none"> - pollution control concerns regarding odour from an adjacent site and acoustic mitigation.
Item Number: 4 Site Address: Greenrock Tavern Pub, Green Rock Lane	
Supplemental Information	Officer Comments
Amend recommendation to allow for amendment and finalising of conditions.	To note
	<p>Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:</p> <ul style="list-style-type: none"> • The amendment and finalising of conditions;
Item Number: 6 Site Address: Calderfields Hotel Golf & Country Club	
Supplemental Information	Officer Comments
Conultees response	<p>Sports England – Offered general guidance /advice</p> <p>Public lighting – Agrees with Ecologist's comments</p> <p>Ecologist – Still concerned with the floodlighting design</p> <p>Transportation (Local Highway Authority) – Support</p>
To confirm the planning history (pg 125) correctly refers to	The planning history (pg 125) correctly refers to application 15/0455/FL. as part of Calderfields Hotel Golf and Country

application 15/0455/FL.	<p>Club, golf academy and short practice area.</p> <p>Recommendation has been updated to take account of the retirement of the Head of Planning, Engineering and Transportation</p>
	<p>Recommendation: Planning committee resolve to Grant subject to amending and finalising conditions and delegate to the Interim Head of Planning & Building Control to resolve the ecology concerns and to secure a deed of variation to tie this planning application to the S106 agreement for planning approval 15/0455/FL defining the overall use to the original approval.</p>

Item Number: 7 Site Address: Calderfields Driving Range, Aldridge Road

Supplemental Information	Officer Comments
<p>Further comments received from the director of Calderfields Golf and Country Club;</p> <p>I refer to the above planning application as I am somewhat surprised that this is to be heard by the planning committee when this application is both incomplete and invalid.</p> <p>The application does not explore, research or present any evidence through a bat survey, a flood risk nor a case to present why this new building and construction carries "Very special circumstances" to be granted permission on green belt land. Calderfields Golf Club Ltd have been required to complete a bat survey on a parcel of land recently purchased, even though, no flood lighting was erected at the time.</p> <p>The flood risk report is also a vital report as the land under application is deemed as a flood risk area on the direct.gov website and the designs show</p>	<p>The application was submitted on 18 January 2018 and was considered valid on 13 February 2018.</p> <p>The application site is small and within Flood Zone 1, consequently, no Flood Risk Assessment is required. The development is considered not to be harmful on local wildlife as no floodlighting, no tree removal or substantive land level changes proposed.</p> <p>Greenbelt has been assessed in the committee report. The proposal provides additional outdoor sport and recreation facilities at an existing site, consequently no Very Special Circumstances are required.</p> <p>Regarding flooding concerns, please see above.</p>

<p>the slope and elevation directing water onto the existing car park adding further stress onto an already heavily worked pumping station.</p> <p>All of the above reports and evidence were required, in copious amounts and were to be fully researched and included upon a recent application, to you, Walsall CC by Calderfields Golf Club Ltd and these reports are not to be confused or included in relation to the current application submitted by Calderfields Driving Range as they are two separate businesses.</p> <p>Furthermore to the absence of a bat survey, I quote the law case of “Regina vs Cornwall County Council” of March 2017 where questions over adequacy of information provided led to a Judicial Review for further evidence and for surveys to be carried out, after an initial decision had been granted by the council.</p> <p>The design brief in the application show both flood lighting and a 2.4 metre mesh fence, both of which pose an obvious threat to wildlife and the environment to which a survey would be required.</p> <p>As you will note from the site plans and boundary maps, the application would require the removal of three car parking spaces, the alteration to accommodate a drop curb stone and the amendment of disabled parking facilities, none of which are owned by the applicant.</p> <p>Furthermore the original Third party intermediaries (TPI)</p>	<p>The current proposals are not of a similar scale to the works in application 15/0455/FL at Calderfields Hotel and Golf Club including site area. The current proposal one is under just under 0.1ha (approximately) and the Calderfields Hotel and Golf Club is 1.2ha (approximately).</p> <p>The current proposal does not have any features or is of a size to warrant the submission of bat survey.</p> <p>Whilst the adventure golf area is to be erected behind a 2.4m mesh fencing, there is no mention of flood lighting. Condition 5 also required details of the design for the features on all of the proposed holes. Condition 6 deals with any future lighting, although this will be updated to confirm the decision does not include lighting. The fence does not create any known ecology issues.</p> <p>Land ownership is not a material planning consideration. As noted by the objector in one of their objections, it’s a civil matter. Whether the application can be implemented will be a civil matter between the two parties. Local Highway Authority has no objections from the increase in activities as a result of the proposed adventure golf area.</p> <p>The third party intermediaries (TPI) is not a material planning matter and a civil matter between the two parties</p>
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<p>agreement drawn up in February 2008 refuses the right to use the car park for any land or use other than the "Retained Land" as a "Golf driving range" and "Professional shop" The (TPI) clearly precludes the application from using the car park facilities and access stated in the proposed design brief.</p> <p>To expand on this point, interestingly, the application shows the erection of a clubhouse style facility to be sited on land currently under residential demise, not covered under the Third party intermediaries (TPI) agreement and I would strongly ask the planning officer to re-visit the inspector's decision on the residential property which is currently occupied by Mr Colin Andrews. The use of land connected with a domestic property also conflicts the Third party intermediaries (TPI) agreement.</p> <p>Whilst this is a civil matter it should be considered as a material planning consideration for the application as a whole as it precludes the proposed car parking and access arrangements.</p> <p>For clarity of the above points I attach a boundary map submitted by the applicant, which, I must add, is incorrect! The red line clearly shows that the applicant has incorporated land owned by Calderfields Golf & Country Club Ltd as part of his retained land. I request that these are amended and the true land registry records are produced.</p>	<p>included within it.</p> <p>The third party intermediaries (TPI) is not a material planning matter and a civil matter between the two parties included within it. The objector recognizes this is a civil matter in their objection</p> <p>The current planning application is a new chapter in the planning history. If the objector has concerns about non compliance with past planning decisions, they may raise an enforcement enquiry via the councils website.</p> <p>The red line plan only includes land owned by the applicant and Calderfield Golf & Country Club. A Certificate B dated 17/1/18 was served on Calderfields Golf & Country Club as confirmed by the planning agent.</p> <p>None of the land within the redline is owned by Taylor Wimpey/Bryant Homes.</p>
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<p>To summarise my letter, if these points are not considered and the relevant reports, surveys and evidence are not provided, we will have no further option but to seek legal advice and follow out a judicial review under a breach of process.</p> <p>I also attach the original copy of our first objection letter to ensure these points are answered to avoid further potential breeches.</p> <p>I refer to my letter sent via email on 23rd December 2019 with objection to the planning application (180058) due to go before a committee decision on Thursday 9th January 2020. I am concerned that seven days have now passed and I have still not received a response to my valid concerns over the legal logistics of this application.</p> <p>Firstly I refer to the Transfer of part (TPI) drawn up between the applicant and myself, the land owner of which the car park proposed to be used in this application belongs to (Shown on the attached plan shaded in green)</p> <p>Point 5 of the TPI clearly states: "To use the car park for the parking of motor vehicles in connection with the use of the retained land as a golf driving range and golf professional's shop and in connection with any leisure or recreational use"</p> <p>To elaborate on this the "retained land" mentioned above is the area of land shaded in blue on the attached plan. The application shows a clubhouse style building on residential property shown on the plan</p>	<p>This is a matter for the third party and if they feel that the Local Planning Authority has not dealt with the matter accordingly the objector will have to come to a conclusion whether they wish to pursue any further.</p> <p>The objections rasied in the first letter have already been covered or dealt with in the Officer Report.</p> <p>The consultation letter sent out confirms that we do not respond to comments received as part of the consultation process of a planning application.</p> <p>The TPI drawn is a civil matter between the parties who signed the document. It is not a material planning matter.</p> <p>The TPI is a civil matter but the phrase "...in connection with any leisure or recreational use" may include the proosed adventure golf area. It is a matter between the two parties who signed the TPI whether the planning application could be implemented.</p> <p>The proposed clubhouse is located within part of the curtilage of Thistle Dew House. This has been assessed in the overall planning impacts, confirming it would not have a harmful impact for the occuipers of that property.</p> <p>There is suffcient parking on site. The highway authority have not objected to the submitted propsals. Land</p>
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<p>attached shaded in grey. It is absolutely clear in legal terms that the applicant does not have allocated parking for this facility, nor will I, the land owner grant any permission to access the application or to cross any boundary or ransomed strip owned by myself.</p> <p>I would also like to reiterate that the applicant's drawings and boundary plans are far from correct and do not represent true drawings of who owns the land.</p> <p>As mentioned in my previous letter, if these points are not explored and exhausted by yourselves and the application is allowed to proceed without the required parking facilities, I will have no other alternative but to seek a Judicial review as not considering these vital legal stumbling blocks is clearly a breach of process.</p> <p>The Red Line plan deposited is totally incorrect as it includes land that is NOT in the ownership of the applicant in particular the designation of the driveway and land included for development which is owned by Calderfields Hotel Golf and Country Club Limited.(CHGCCL) and no Certificate B has been served on CHGCCL as is required by law.</p> <p>We are not aware of the Certificate B being served on land owned by Taylor Wimpey and included in the RED Line.</p> <p>The TPI agreement recently sent to you clearly shows that there is no parking available for this proposal as the parking is only for the "retained land" which is the driving range and nothing</p>	<p>ownership is a civil matter between the two parties including whether the application can be implemented.</p> <p>Based on the red line plan, the applicant has provided the correct ownership certificate.</p> <p>The objector appears to be mixing material planning considerations with private civil matters.</p> <p>Based on the red line plan, the applicant has provided the correct ownership certificate.</p> <p>Land ownership is a private civil matter and not a material planning consideration.</p> <p>The redline excludes land owned by Taylor Wimpey/Bryant Homes</p> <p>Land ownership is not a material planning consideration. As noted by the objector in one of their objections, it's a civil matter. Whether the application can be implemented will be a civil matter between the two parties. Local Highway Authority has no objections from the increase in activies as a result of the proposed adventure golf area.</p>
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<p>more.</p> <p>The “short game area” described in the report does NOT have any planning permission as was deforested by the owner without permission(see Google Earth) and the permission number 15/0455 is in fact permission granted to CHGCCL and thus the report is incorrect on this point.</p> <p>There is no ecology or flood risk report despite the knowledge of the existence of bats in the area which CHGCCL incurred substantial expenditure having to provide both of these reports for our applications to be considered.</p> <p>Lighting is proposed on the drawing but is intended to be conditioned by condition 6(a) despite the report stating that no lighting is proposed.</p> <p>The domestic garden of the property is to be incorporated into the proposal despite the Planning Inspectorate approving this as a domestic dwelling in the Green Belt.</p> <p>The proposal if approved would represent an overdevelopment in the Green Belt leading to "Theme Park" structures of Gorillas, Crashed plane and Four by Four structures totally out of keeping with Green Belt Policy.</p> <p>It is assumed that any visitors to this proposal would be those visiting the existing leisure offer but there is no evidence to support this and I repeat that there is NO car parking available except for the existing use.</p> <p>There is no indication of the</p>	<p>The short game are is not within a conservation area and the trees were not protected by a Tree Preservation Order. Whilst the removal of trees is unfortunate, the removal of the trees could not be controlled by the Local Planning Authority. This is a separate matter to the current proposal. The objector can raise an enforcement enquiry via the Councils website</p> <p>Please see above</p> <p>The current proposal includes photographs of another adventure golf scheme which includes lighting. Whilst condition 6 requires details to be provided, the condition will be amended to confirm the decision is not agreeing lighting.</p> <p>As explained earlier in the supplementary, this application is a new chapter in the planning history, in the same way as Calderfields Hotel and Golf Course have done.</p> <p>Assessed in the committee report whether the development is appropriate in the Green Belt.</p> <p>The Highway Authority have not raised any objections to the proposal. As stated earlier in the supplementary report, whether the application can be implemented will be a private civil matter between the 2 parties</p> <p>There is no need given we have no objections from Severn</p>
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<p>location of the soak away proposed on the plan.</p> <p>In summary this application is flawed on many aspects and therefore we request that it is withdrawn from the agenda until all of these points are addressed and satisfied failing which we will consider making an application for a Judicial Review should this proceed to a positive decision and refer this to the Local Government ombudsman for his consideration.</p> <p>Further comments received from the director of Calderfields Golf and Country Club</p> <p>Further comments received from the General Manager of Calderfields Gold and Country Club;</p> <p>The design statement plans show a proposal erecting an administrative centre in the grounds of the private residential dwellings, owned by the applicant, Draw your attention to conditions 5 (Restricts PD Rights for means of enclosure), 8 (boundary treatments shown on plans shall be carried out before development is brought into use), 13 (Surfacing of accessway abd car par before brought into use) and 14 (Exist hedge to be retained) and Reasons 2 (Green Belt), 3 (Green Belt) and 12 (Green Belt).</p> <p>Requests application be considered by Planning Committee.</p> <p>All conditions that are broken and legal aspects should be investigated otherwise legal action may be taken.</p>	<p>Trent Water and the Environment Agency.</p> <p>It will be a matter for the third party to decide whether they want to challenge the Local Planning Authority.</p> <p>Should the objector choose to pursue the Council via the Local Government Ombudsman, the Council will co-operate fully with any investigation that the Ombudsman wishes to pursue.</p> <p>The points raised have been previously raised and are covered above. Nothing new or additional was raised.</p> <p>The conditions specified relate to a historic planning application (BC50055P managers house) which is a separate matter to the current proposal.</p> <p>It is accepted that the administration building is sited on part of the domestic curtilage of the neighbouring property.</p> <p>The objector can raise an enforcement enquiry via the councils website regarding any perceived breach of these conditions. This is a separate planning matter to the current planning proposal.</p> <p>The planning application is to be determined by the Planning Committee.</p> <p>Any breach of these conditions would be a separate planning enforcement matter to be investigated separately.</p>
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Further comments from the General Manager concerning the land ownership and serving of Certificate B.	<p>Land ownership is not a material planning consideration. As noted by the objector in one of their objections, it's a civil matter. Whether the application can be implemented will be a civil matter between the two parties. As stated earlier, there is not land within the redline that is owned by a house builder.</p> <p>The recommendation will be updated to take account of comments including amending conditions</p>
	Recommendation: Grant subject to amending and finalising conditions
Item Number: 8 Site Address: Car park fronting Nottingham Drive	
Supplemental Information	Officer Comments
Pollution Control officers have requested a condition to secure an Electric Vehicle Charging Point. Amend recommendation to allow for amendment and finalising of conditions.	<p>An additional condition can be included to secure this.</p> <p>To note.</p>
	<p>Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:</p> <ul style="list-style-type: none"> - the amendment and finalising of conditions;
Item Number: 9 Site Address: Foxhills Farm, Beacon Road, Aldridge	
Supplemental Information	Officer Comments
Planning Condition numbering is out of sequence	Noted and to be renumbered for the decision document
Between the current conditions 3a and 3b is a reason	Noted and to be deleted for the decision document
Condition 6a includes highway requirements that can be secured via third party legislation, meaning the condition as presented would not meet the 6 tests	To be amended to comply with the 6 tests for imposing a condition; Prior to the commencement of the development, details of the proposed vehicular access alterations at Beacon Road, including sections through demonstrating the gradient between Beacon Road and the access, plus the demarcation with the public highway shall be submitted to and approved in writing with the local planning authority.

Ecology note 1 page 171 should form a planning condition	<p>The development shall not be carried out otherwise than in accordance with the approved details and thereafter be retained for the life of the development</p> <p>Noted</p>
	Recommendation: Grant permission subject to amending and finalising planning conditions
Item Number: 11 Site Address: Brownhills Working Mans Club, Hednesford Rd	
Supplemental Information	Officer Comments
Amend recommendation to allow for amendment and finalising of conditions.	To note
	<p>Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:</p> <p>The amendment and finalising of conditions;</p>
Item Number: 12 Site Address: Land off Montgomery Road, Bentley	
Supplemental Information	Officer Comments
Delete Condition 4 a) & b) Delete condition 6 retaining condition No's 6 a), 6 b) & 6 c) Amend condition 11 wording and remove condition 13 Amend condition 12 b) Revision of condition 14 Delete condition 15 Add in Pollution Control condition requiring on-site investigation for land contamination and ground gas	Requirements are repeated in condition 5 a) & b) Repeat of requirements in condition 6 a) Repeat of requirements of condition 13 and clarification included To include reference to drainage This is a shared driveway on private land rather than adopted highway land Repeat of condition 12 Condition revisions noted and to be renumbered for the decision document Noted and to be added
	Recommendation: Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to amended conditions (including any amendments or additional

	<p>conditions required by consultees) and subject to securing a S106 agreement to provide a Landscape Management Plan for the in perpetuity maintenance of the hard and soft landscaping</p> <p>And;</p> <p>*No new material considerations being received within the consultation period;</p> <p>*No further comments from a statutory consultee raising material planning considerations not previously addressed</p>
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Appendix to Item 2

19/0945 - PROPOSED RESIDENTIAL DEVELOPMENT OF 88 RESIDENTIAL UNITS

Position of Response: Object

We, neighbours of Former Harvestime Bakery, Raleigh Street, object to the planning application in its current form due to it not addressing or meeting our concerns regarding the increased traffic flow, insufficient parking, reduction in street parking and lack of public amenities.

Name	Address	Signature
	79 RALEIGH ST, WS2 8QY	
	79 RALEIGH ST, WS2 8QY	
	67 RALEIGH ST WS2 8QY	
	61 Raleigh Street WS2 8QZ	
	53 Raleigh Street WS2 8QZ	
	59 Raleigh Street, WS2 8QZ	
	55 Raleigh Street, WS2 8QZ	
	55 RALEIGH STREET WS2 8QZ	
	51 RALEIGH STREET WS2 8QZ	
	51 Raleigh Street WS2 8QZ	
	51 Raleigh Street WS2 8QZ	
	47 RALEIGH STREET WS2 8QZ	
	41	
	43 RALEIGH ST WS2 8QZ	
	43 Raleigh St Walsall	
	23. RALEIGH ST	
	23. RALEIGH ST	
	23. RALEIGH ST	
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	53 Raleigh St	
	53 Raleigh St	
	33 Raleigh St	
	33 Raleigh St	
	33 Raleigh St	
	35 Raleigh St	
	87 Raleigh St	
	91 Raleigh St	
	91 Raleigh St	
	91 Raleigh St	