



# Walsall Council

Development Management

## PLANNING COMMITTEE

Report to the Head of Planning and Building Control

9<sup>th</sup> September 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.

Plans list Item number: 1	
Application site address: IBSTOCK BRICK LTD, ATLAS FACTORY, STUBBERS GREEN ROAD, ALDRIDGE	
Supplemental Information	Officer Comments
It has been confirmed by the Local Highway Authority that the Travel Plan can be secured by a planning condition to require a Travel Plan Statement including empirical evidence.	To note. Recommendation updated.
<b>Recommendation:</b> Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to: <ul style="list-style-type: none"><li>• Securing a Travel Plan via planning condition;</li></ul>	

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- No new material considerations being received;
- The amendment and finalising of conditions;
- No objection from the Lead Local Flood Authority; and
- No further comments from a statutory consultee raising material planning considerations not previously addressed.

Plans list Item number: 2 Application site address: LAND ADJACENT 346 SOUTH OF, HARDEN ROAD, BLOXWICH, WALSALL	
Supplemental Information	Officer Comments
For clarification, the raised table on Harden Road referred to in the proposal section of the published report relates to separate works to be carried out by Walsall Council and does not form part of this planning application.	To note. No change to recommendation.
<p>The applicant's planning agent has today submitted additional evidence in response to the issues raised within the published committee report. At this late stage in the process, the Local Planning Authority is unable to seek the necessary input of consultees on this submitted information which would need to be published, and sent out for re-consultation. It is not therefore possible for this evidence to be fully taken into account in the assessment of this item at tonight's Planning Committee.</p> <p>The submitted information explains that the footpath land falling outside of the application site belongs to Walsall Council, and the applicant is willing to agree to improvements via a Planning Obligation. However, this is not possible as the Council cannot enter into a Planning Obligation with itself. No details have been provided on potential third party ownership of the land relating to the emergency access to the south.</p> <p>The applicant agrees to the Heads of Terms of the Planning Obligation. Whilst this addresses part of the refusal reasons it does not overcome the remaining refusal reasons nor has the</p>	To note. No change to recommendation with the exception of the applicant's agreement to the Heads of Terms of a Planning Obligation and the subsequent updating of refusal reasons 2 and 5.

<p>land ownership issue been resolved which potentially impacts on the final heads of terms.</p> <p>Reference is made to a Great Crested Newt survey having been sent directly to the Wildlife Trust. This has circumvented the proper planning process and no weight can be given to this in the absence of receipt of this document and in the absence of any further response from the Wildlife Trust on this.</p> <p>The further submitted information in relation to trees, ecology, open space, Green Belt, land ownership and minerals would need to be consulted on and assessed.</p> <p>Should Members be minded to allow this additional evidence to be taken into account, the item could be deferred for future consideration to provide further time for the necessary re-consultation and assessment to be made.</p>	
<b>Recommendation:</b> Refuse	

<b>Plans list Item number: 3</b> <b>Application site address: Former Coral, 12 Bradford Street, Walsall</b>	
<b>Supplemental Information</b>	<b>Officer Comments</b>
Conservation Officer requires the inclusion of a planning condition to require the applicants to provide details of the proposed internal works to create a new partition staff area and insertion of a door prior to the commencement of the development.	Noted. No change to the recommendation
<b>Recommendation:</b> <ol style="list-style-type: none"> <li>1. Planning Committee resolve to Delegate to the Head of Planning and Building Control to Grant Planning Permission Subject to Conditions and subject to: <ul style="list-style-type: none"> <li>• No further comments by a statutory consultee raising material planning considerations not previously addressed; and</li> </ul> </li> </ol>	

- The amendment and finalising of conditions.

**2. Grant advertisement consent subject to conditions.**

<b>Plans list Item number: 4</b> <b>Application site address: 13, BUCHANAN ROAD, WALSALL, WS4 2EW</b>	
<b>Supplemental Information</b>	<b>Officer Comments</b>
<p>Amended plans have been received to extend the red line site boundary at rear of the proposed two dwellings up to Cameron Road to incorporate this land into the residential gardens serving the proposed development. This land falls within the applicant's ownership indicated by the initial plans showing this land within the surrounding blue line. The necessary re-consultations are underway.</p> <p>On the 1st April 2021 Planning Committee resolved to Grant Permission for Works to Protected Trees in relation to a separate tree application reference 20/1572 at 13 Buchanan Road. Members requested that officers consider new tree planting for any future development on this site. Given the above land is now incorporated within this current application Condition 9 (landscaping) will be updated to specify the inclusion of this requested re-planting.</p>	<p>To note. Recommendation updated to take account of the re-consultation and to include a condition for replacement tree planting.</p>
<p>Condition 14 to be updated to specify that the obscure glazed side facing windows to the proposed plot 13a relate to the side windows facing No.11a Buchanan Road.</p> <p>A further condition is to be included to remove permitted development rights in relation to alterations and extensions to the proposed dwellings, and outbuildings to safeguard the character of the area and the protected trees.</p>	<p>To note. No change to recommendation.</p>

<p>Neighbours have raised concerns over potential inaccuracies between submitted plans and this has already been considered and addressed in the published report.</p> <p>Concerns regarding impacts on amenity, layout, appearance, highways, heritage, ecology, trees have already been considered and addressed in the published report.</p> <p>Further concerns have been raised regarding not following Government policy and previous planning decisions and appeals. The published report makes a balanced assessment taking the relevant local and national planning policies and guidance into account. No details have been provided on specific planning decisions or appeals that should be taken into account.</p> <p>Further concerns have been raised regarding disabled access for intended future occupiers. Whilst every opportunity is made to ensure developments aim to provide level-access, this is not always possible and any future occupiers would be aware of any level changes / steps upon any viewing of these properties.</p> <p>A neighbour stated their representations have not been taken into account in the assessment of this application. However, all received representations have been considered and addressed within the published report, and this supplementary paper where necessary.</p> <p>Requests for a site meeting with residents has already been addressed in the published report.</p>	<p>To note. No change to recommendation.</p>
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Neighbours have queried the ability to present this application at Planning Committee during a re-consultation period. This has been addressed above, and the recommendation updated.	
<b>Recommendation:</b> Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to: <ul style="list-style-type: none"> <li>• No new material considerations being received following the re-consultation period;</li> <li>• Inclusion of a condition to secure replacement tree planting; and</li> <li>• The amendment and finalising of conditions.</li> </ul>	

<b>Plans list Item number: 6</b> <b>Application site address: 185, SUTTON ROAD, WALSALL, WS5 3AW</b>	
<b>Supplemental Information</b>	<b>Officer Comments</b>
An additional condition is to be included to remove permitted development rights regarding extensions to the roof to safeguard the character of the area.	To note. No change to recommendation.
<p>A further representation has been received from a neighbouring occupant raising the following concern:</p> <p>The original Assessment of the Proposal states that the adjacent first floor window of 183 is of a hall/bathroom. This window belongs to a bedroom and should be treated as a habitable room. Plans do not adequately show the relation of elevations to the neighbour, or any breach of the 45 degree code to this window.</p>	<p>This window was assessed as being a landing window due to it being shown as such on the approved plans of permission reference 17/0536 for this neighbour's extension. It is considered the fact that this window is situated directly in front of a stairwell prevents it from providing a significant level of outlook in any case.</p> <p>The submitted amended plans for this application show the proposed first floor side extension in relation to the neighbouring first floor side extension. Whilst the proposed extension would breach the 45 degree line of sight measured from the quarter point of the neighbour's nearest first floor window, the 45-degree line of view from this window is already breached by the side elevation of the existing dwelling and as outlined above this window does not provide a significant level</p>

	of outlook in any case and there are considered to be no significant additional impacts arising to warrant a refusal. No change to recommendation.
<p>A further representation has been received from a neighbouring occupant raising the following concern:</p> <p>Conflicting measurements given in the Assessment of Amendments for the original proposed step back in this area 1m vs 0.9m</p>	Noted. This is an error in the assessment and the original step back should be 0.9m and not 1m. No change to recommendation.
<p>A further representation has been received from a neighbouring occupant raising the following concern:</p> <p>The amended proposed plans indicate there will be seven bedrooms and no bathroom bar the two en-suite rooms - this seems an indication that the proposal is poorly planned and a deliberate and inappropriate overdevelopment of the property.</p>	The proposal includes 2 en-suite bathrooms and one separate w.c. However, this is not a material planning consideration and is a matter for Building Regulations. No change to recommendation.
<p>A further representation has been received from a neighbouring occupant raising concerns around terracing effect, light availability and privacy. These matters have already been considered and addressed in the published report.</p>	No change to recommendation.
<p><b>Recommendation:</b> Planning Committee resolve to Delegate to the Head of Planning &amp; Building Control to Grant Planning Permission Subject to Conditions and subject to the amendment and finalising of conditions.</p>	