



Planning Committee

Report of Head of Planning and Building Control on 20 July 2023

Plans List Item Number: 1

Reason for bringing to committee

Major Application

Application Details

Location: METRO INN WALSALL, METRO INN WALSALL, BIRMINGHAM ROAD, WALSALL, WS5 3AB

Proposal: ERECTION OF A NEW DISCOUNT FOODSTORE (USE CLASS E) WITH ACCESS, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS.

Application Number: 22/0895

Case Officer: Sally Wagstaff

Applicant: Lidl Great Britain Limited

Ward: Paddock

Agent: Rapleys

Expired Date: 16-Oct-2022

Application Type: Full Application: Major Use Class E(b) (Sale of Food and Drink)

Time Extension Expiry:



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Recommendation

Delegate to the Head of Planning and Building Control to refuse subject to:

- Taking account of any additional material matters being raised as part of a current re-consultation
- Finalise and amend refusal reasons

Proposal

This application proposes the demolition of the existing building and erection of a Lidl discount store providing 1796sqm Gross Internal Area / 1217sqm Net Sales Area. The store would be sited hard up against the west site boundary and is of a standard Lidl design with mono-pitch roof, glazed front elevation and store entrance and modern grey and white aluminium cladding to exterior. Photovoltaic panels are proposed to be affixed to the roof along with an area serving plant equipment.

A revised vehicle access is proposed off Birmingham Road along with a total of 75 car park spaces including 5 disabled spaces, 6 parent & child spaces and 4 electric vehicle charging spaces situated to the east of the site. 12 covered bicycle parking spaces are proposed directly in front of the store entrance.

The submitted application form incorrectly states that there are no existing employees on the site. Furthermore, no details have been provided as to whether the proposed 'up to 40 jobs' would lead to a net increase in local jobs over and above the existing operating businesses.

Proposed opening hours are 08:00am to 22:00pm Monday to Saturday and 10:00am to 18:00pm Sunday and Bank Holidays.

The red line site boundary has recently been amended to exclude a small section of land adjacent to the tennis courts at rear.

A number of updated plans and documents have been submitted which are currently the subject of re-consultation. Any additional consultation responses received will be added to the supplementary paper, and the recommendation allows for consideration to be given to any new material planning matters arising.

Site and Surroundings

The application site is currently occupied by a modern three and four storey building of overall simple design. The building is currently used as a hotel (Metro Inns) and includes The Broadway bar and grill at ground floor. The site is served by car parking to the front, side and rear of the existing building. The site is accessed off the A34 Birmingham Road a busy part of the Borough's strategic highway network and in close proximity to the junction with Broadway and Broadway North.

The immediate surrounding area is predominantly a mix of traditional and modern two storey residential properties and includes a 4 storey modern block of flats to the north west of the site. Currently disused tennis courts directly adjoin the rear of the site, and the A34 Sprint bus route works are also underway along Birmingham Road, and immediately to the front of the site.

The site is in an out-of-centre location and located 1km outside of Pelsall Local Centre and South of Walsall Strategic Centre. A section of the south-west border is allocated as HO305 under Policy HC1 of the Site Allocation Document for housing.

A number of TPO trees are present along the front and rear of the site. The site falls within Flood Zone 1, defined as an area with the lowest probability of flooding and in the low-risk coal area.

Relevant Planning History

Application Site:

22/0975 - Environmental Impact Assessment (EIA) Screening Opinion for a proposed erection of a new discount foodstore (Use Class E) with access, car parking, landscaping and other associated works. EIA Screening Opinion Not Required 13/03/2023.

17/1206 - Change of use of part existing car park to jet car wash & car valeting. Refused 06/09/2017.

Surrounding area:

20/0522 - FORMER ALLOTMENTS REAR OF 1 TO 9, CRICKET CLOSE, WALSALL - Proposed erection of 29 dwellings (comprising 22 open market dwellings and 7 affordable units) with landscaping, access roads, car parking and associated infrastructure. Allowed at appeal 10/10/2022.

Relevant Policies

National Planning Policy Framework (NPPF)

www.gov.uk/guidance/national-planning-policy-framework

The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a "*presumption in favour of sustainable development*".

Key provisions of the NPPF relevant in this case:

- **NPPF 2 – Achieving sustainable development**
- **NPPF 4 – Decision Making**
- **NPPF 5 – Delivering a sufficient supply of homes**
- **NPPF 6 – Building a strong, competitive economy**
- **NPPF 7 – Ensuring the vitality of town centres**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 14 – Meeting the challenge of climate change, flooding and coastal change**
- **NPPF 15 – Conserving and enhancing the natural environment**

On **planning conditions** the NPPF (para 56) says:
Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

On **decision-making** the NPPF sets out the view that local planning authorities should approach decisions in a positive and creative way. They should use the full range of planning tools available and work proactively with applications to secure developments that will improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

National Planning Policy Guidance

On **material planning consideration** the NPPG confirms- planning is concerned with land use in the public interest, so that the protection of purely private interests... could not be material considerations

Reducing Inequalities

The Equality Act 2010 (the '2010 Act ') sets out 9 protected characteristics which should be taken into account in all decision making. The **characteristics** that are protected by the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Of these protected characteristics, disability and age are perhaps where planning and development have the most impact.

In addition, the 2010 Act imposes a Public Sector Equality Duty "PSED" on public bodies to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality and to foster good relations. This includes removing or minimising disadvantages, taking steps to meet needs and encouraging participation in public life.

Section 149(6) of the 2010 Act confirms that compliance with the duties may involve treating some people more favourably than others. The word favourably does not mean 'preferentially'. For example, where a difference in ground levels exists, it may be perfectly sensible to install some steps. However, this would discriminate against those unable to climb steps due to a protected characteristic. We therefore look upon those with a disability more favourably, in that we take into account their circumstances more than those of a person without such a protected characteristic and we think about a ramp instead. They are not treated preferentially, because the ramp does not give them an advantage; it merely puts them on a level playing field

with someone without the protected characteristic. As such the decision makers should consider the needs of those with protected characteristics in each circumstance in order to ensure they are not disadvantaged by a scheme or proposal.

Development Plan

www.go.walsall.gov.uk/planning_policy

Saved Policies of Walsall Unitary Development Plan

- GP2: Environmental Protection
- GP5: Equal Opportunities
- GP6: Disabled People
- ENV10: Pollution
- ENV11: Light Pollution
- ENV14: Development of Derelict and Previously-Developed Sites
- ENV17: New Planting
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- ENV35: Appearance of Commercial Buildings
- ENV40: Conservation, Protection and Use of Water Resources
- S1: Definition of Town Centre Uses
- S4: The Town and District Centres: General Principles
- S6: Meeting Local Needs
- S7: Out-of-Centre and Edge-of-Centre Developments
- T7 - Car Parking
- T10: Accessibility Standards – General
- T11: Access for Pedestrians, Cyclists and Wheelchair users
- T12: Access by Public Transport (Bus, Rail, Metro and Ring and Ride)
- T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

- CSP4: Place Making
- EMP1: Providing for Economic Growth
- CEN6: Meeting Local Needs for Shopping and Services
- CEN7: Controlling Out-of-Centre Development
- TRAN2: Managing Transport Impacts of New Development
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV7: Renewable Energy
- ENV8: Air Quality

Walsall Site Allocation Document 2019

EN1: Natural Environment Protection, Management and Enhancement

EN3: Flood Risk

T4: The Highway Network

Supplementary Planning Document

Conserving Walsall's Natural Environment

Development with the potential to affect species, habitats or earth heritage features

- NE1 – Impact Assessment
- NE2 – Protected and Important Species
- NE3 – Long Term Management of Mitigation and Compensatory Measures

Survey standards

- NE4 – Survey Standards

The natural environment and new development

- NE5 – Habitat Creation and Enhancement Measures
- NE6 – Compensatory Provision

Development with the potential to affect trees, woodlands and hedgerows

- NE7 - Impact Assessment
- NE8 – Retained Trees, Woodlands or Hedgerows
- NE9 – Replacement Planting
- NE10 – Tree Preservation Order

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW10 Well Designed Sustainable Buildings

Air Quality SPD

- **Section 5 – Mitigation and Compensation:**
- Type 1 – Electric Vehicle Charging Points
- Type 2 - Practical Mitigation Measures
- Type 3 – Additional Measures
- 5.12 - Emissions from Construction Sites

Shop Front SPD

- SF2: Shop front proportions
- SF3: Materials in shop fronts
- SF4: Colour finishes
- SF5: Access to shops
- SF8: Shop front security

Consultation Replies

Archaeology Officer

No objection.

Ecology Officer

No objection but recommends amendments to proposed landscaping and lighting.

Environmental Protection

No objection subject to conditions regarding construction and demolition management, contaminated land, noise mitigation and air quality.

Fire Authority

Note to applicant suggested.

Highways England

No comments to make.

Lead Local Flood Authority

Objection due to insufficient submitted information.

Local Highways Authority

Objects due to:

- insufficient parking provided to support development
- failure to demonstrate how additional traffic would not result in unacceptable impacts to highways safety
- residual cumulative impact on the road network would be severe
- Insufficient Travel Plan

Police (Designing Out Crime)

Security measures recommended.

Severn Trent Water

No objection subject to drainage condition.

Sport England

No comments to make.

Strategic Planning Policy

No objection.

Transport for West Midlands

Concern around lane widths nearest Cricket Close.

Tree Preservation Officer

Objects - Locating a building and associated hard standing in close proximity to the protected trees does not accord with Chapters 12 and 15 of the NPPF, with saved policy ENV18 of the Walsall UDP, and policy NE8 of the SPD, Conserving Walsall's Natural Heritage. Their removal is unjustified, will have a detrimental effect on the amenity, aesthetic and landscape value of the locality, and runs counter to the thrust of the TPO system which makes provisions for the preservation of trees.

Representations (*Officer comments in italics*)

10 representations received in support for the following reasons:

- Creation of jobs
- Sufficient parking
- Improvement on appearance of current hotel
- Good use of the site
- Competitive retail resource (*not a material planning matter*)
- Meets local need
- Would reduce anti-social behaviour

111 representations received objecting on grounds of:

- Impact on property values (*not a material planning matter*)
- Impact on nearby centres and businesses
- Impacts on neighbour amenity
- Loss of hotel, bar and jobs
- Increased traffic congestion
- Increased highway safety issues
- Fails to take account of Sprint works
- Increased crime
- Likely closure of existing Walsall Lidl store
- Suitable alternative sites
- Reduction in air quality and increased health impacts
- Availability of other supermarkets in area
- Green space further along Birmingham Road should be saved from development (*not a material planning consideration for this application*)
- Displacement of residents staying at the hotel
- Loss of tennis courts (*not a material planning consideration for this application*)
- Council approval of housing development at Cricket Close will cause traffic issues (*this separate development was allowed by the Planning Inspectorate and was not a Council decision. This is also not a material planning consideration for this application*)
- Environmental and safety grounds (*no details provided so limited weight afforded*)
- Incorrect site boundary affecting third party land (*updated plans received showing updated site boundary*)
- Restricted emergency vehicle access to wider area
- Increased risk of rats and rodents (*not a material planning matter*)
- Site should be developed for housing instead (*Local Planning Authority can only determine the application placed before it*)
- Not an accessible location
- Some published documents are password protected and not accessible (*only sensitive information is redacted or password protected*)
- Unsightly and poor design and harm to locality
- Intrusive bright lighting
- Object to proposal (*no details provided so limited weight afforded*)
- Harm to wildlife
- Will deter investment and residents from wanting to come to the Borough (*not a material planning matter*)
- Walsall Council has made poor decisions and is corrupt (*no details provided to substantiate this allegation and it is not a material planning matter*)
- Increased litter (*not a material planning matter*)
- Disagree with Lidl published material that suggests the proposal has received positive support from local residents when 45% were against this proposal
- Lack of boundary treatment details

2 x anonymous objections were received which do not carry any weight.

Councillor Waheed Rasab and Councillor Singh Sohal object on grounds of:

- Traffic congestion
- Unsuitable location in housing estate
- Health and safety issues (*not a material planning matter*)

Determining Issues

- Principle of Development
- Design, Layout and Character
- Amenity of Neighbours
- Highways
- Ecology
- Flood Risk / Drainage
- Protected Trees

Assessment of the Proposal

Principle of Development

The applicant has carried out the necessary sequential test which has demonstrated that there are no suitable available alternative sites in nearby local centres, or in additional centres within a wider 7 minute drive time catchment. This position has been accepted by the Council's Planning Policy Team. There is no requirement to carry out a retail impact assessment for this scale of proposal.

The majority of the site is not allocated for any particular use with the exception of a small section of land along the south-west boundary which forms part of a wider housing allocation reference HO305 under SAD Policy HC1. However, it is considered that this is unlikely to prevent the wider housing allocation from coming forward. A revised location plan has been submitted which further reduces this section of land in an effort to correct the site boundary where it adjoins third party land falling outside of the applicant's ownership.

This proposal fails to clearly demonstrate whether any net increase in local jobs would occur as a direct result of this development and limited weight is therefore applied in this regard.

However, this development would make use of a previously developed site and is therefore acceptable in principle subject to all other material considerations.

Design, Layout and Character

The low-level mono-pitch roof and siting of the building directly adjacent the three-storey Keepers Gate flats which also sits forward of the established building line, fails to reflect the scale and pattern of development in the area. The proposed external materials fail to take account of the local vernacular which has a prevailing character of red bricks.

It is considered that the proposed design fails to respect the location of this prominent site and fails to take the opportunity to enhance the character of the area. This will form a reason for refusal.

The most recently received revised plans are currently out for re-consultation with the relevant consultee(s).

Amenity of Neighbours

The proposed building at a distance of only 4.7m and 16m to the nearest elevations of adjacent Keepers Gate flats fails to demonstrate whether the 45 degree code would be breached, or whether the proposal would result in unacceptable additional impacts to occupiers in regard to loss of outlook and light to any habitable windows. This will form a further reason for refusal.

On balance, it is considered that the proposal would not result in any significant additional noise, disturbance, or other amenity impacts to other surrounding residential occupiers over and above the existing use, layout and operations on the site against the backdrop of noise associated with the strategic highway network in this location. The Council's Environmental Protection Team do not object to this development and state that the proposed store will not significantly add to the existing air quality and noise pollution levels. A condition to include acoustic boundary treatment would be included on any approval as suggested.

The most recently received revised environmental reports are currently out for re-consultation with the relevant consultee(s).

Highways

The proposal fails to provide the policy required level of 135 parking spaces. The proposed 75 parking spaces falls significantly short and is insufficient to support the proposed development.

The submitted Transport Assessment dated 18/07/2022 fails to provide sufficient evidence to justify the number of vehicle trips put forward in the submission linked with the proposed development. The Local Highway Authority considers the trip generation has been significantly undercounted and is likely to attract an additional 103 two-way trips during weekday peak time and an additional 139 two-way trips during Saturday peak time over and above the figures provided by the applicant.

The submitted road safety audit cannot be relied upon as it includes a plan showing the vehicle access in the wrong location and changes are required to the submitted Travel Plan to make it acceptable.

The submitted Travel Plan fails to include appropriate measures to promote other modes of sustainable transport for customers, and requires other revisions to be deemed acceptable.

Overall, the proposal fails to provide a safe and suitable access due to a gross under-provision of parking spaces, and due to known existing accidents at this junction the proposal would have an unacceptable impact on highway safety and the residual cumulative impact on the road network will be severe. This will form a further reason for refusal.

The most recently received revised Travel Plan and Transport Assessment is currently out for re-consultation with the relevant consultee(s).

Ecology

The proposal is considered would not result in any harm to wildlife or protected species. The Council's Ecology Officer did not raise an objection to this proposal.

The most recently received revised biodiversity documents and ecological surveys are currently out for re-consultation with the relevant consultee(s).

Flood Risk / Drainage

The Lead Local Flood Authority object due to insufficient information submitted in relation to drainage. This will form a further reason for refusal.

The most recently received revised drainage documents are currently out for re-consultation with the relevant consultee(s).

Protected Trees

The site has several protected trees covered by Tree Preservation Order (TPO) No. 15/2004. There 3 individual trees to the front of the site and 2 groups to the rear.

The submitted Arboricultural Report surveyed 18 individual trees and 4 groups. 15 of the individual trees, and 3 of the groups of trees, have been assessed in accordance with BS 5837:2012¹ as 'B' class trees, indicating they are in good condition with reasonably long-life expectancy (20+ years). However, their reported condition suggests that some of the trees should be assessed as category 'A' trees (good condition with long life-expectancy, 40+ years).

To the front of the site, T5 Ash, T16 Lawson Cypress, T17 Lawson Cypress and T18 Ash are protected trees that have been marked from removal. Their removal has already been agreed, in principle, as part of the Sprint Bus Route subject to compensation and/or replacement planting. The Tree Officer does not object to their removal as part of the Lidl proposal subject to the same conditions.

T2, T3 and T4 are located immediately adjacent to the north corner of the existing building. Whilst providing some amenity value in this location, they are indicated for removal as part of the Lidl proposal, the Tree Officer has no objection to this.

T12, T13, T14 and T15 are off-site trees located in Keepers Gate. They are located 6-8m from the proposed building which is sufficient for future growth and maintenance. However, the existing ground between the Metro Inns building and Keepers Gate is hard standing which will be converted, in large part, to soft landscaping. No reference has been made to this and, should consent be granted, an Arboricultural Method Statement should be conditioned to ensure the long-term health and condition of these third party owned trees.

G1 is located in the west corner of the site, adjacent to the amended delivery area. They are protected within G3 of the TPO and have been assessed as 'B' class trees of reasonable condition with high amenity value. The layout and proximity of the delivery area, and associated works (retaining wall) will result in the removal of these trees, which the Tree Officer objects to.

T6 – T11 inclusive are located along the southwest boundary, which backs onto the tennis courts. Except for T7, all trees have been assessed as category 'B' trees in BS5837, although T7 has unfairly been downgraded for unknown reasons. They provide a useful amount of amenity value to the locality, being visible to the residents

of Keepers Gate, Cricket Close and the site itself. They have been marked on the Arb Plan for removal, likely due to the proximity of the proposal and associated works, which there is an objection to.

G2 is a row of conifer and laurel located on the southwest boundary, which backs onto properties in Cricket Close. They are of relatively low amenity value although do provide a high degree of screening between the sites. They have been marked on the Arb Plan for removal which the Tree Officer objects to.

G4 is a row of conifers located on the southwest boundary, which backs onto properties in Cricket Close. They are of reasonable amenity value and provide a high degree of screening between the sites. They have been marked on the Arboricultural Plan for removal which there is an objection to.

G3 is a row of conifers located on the southwest boundary, which backs onto properties in Cricket Close. They are of high amenity value and provide a high degree of screening between the sites. They have been marked on the Arb Plan for removal which there is an objection to.

The proposed Drainage Plan indicates surface water drains around the northwest and southwest sides of the site, at depths of between 1.5m to 1.8m. This will sever a significant amount of root material to T6, T7, T8, T9, T10, T11, G1, G2, G3 and G4 and would result on their removal regardless of any other development pressures.

The submitted lighting plan indicates 6m high lamp columns along the southwest boundary and in the car parking area. The existing trees along the southwest boundary, if being retained, would not provide light overspill to the adjacent properties. This cannot be mitigated through replacement planting as there is insufficient space.

The frontage layout on the amended landscaping plan is poor with only shrub species indicated. There are no replacement trees indicated that could have compensated for the loss of T17 and T18 which would be expected.

In addition, there are only 5 replacement trees indicated towards the rear of the site presumably to compensate of the loss of T6-T11, G1, G2, G3 and G4. The five trees are split into 2 small groups that are insufficient to return an acceptable level of amenity and screening to the locality.

Conclusions and Reasons for Decision

On balance, whilst the development would make use of a previously developed site and is acceptable in principle, the impacts arising in relation to highway safety, neighbour amenity, character of the area and impact upon trees on site are unacceptable and there are no material planning considerations in support of the proposals that would outweigh this harm. It is therefore concluded that this application should be recommended for refusal.

Positive and Proactive Working with the Applicant

Officers have spoken with the applicant's agent and in this instance are unable to support the proposal for the reasons set out in this report.

Recommendation

Refuse

Reasons for refusal

1. This application fails to provide sufficient parking spaces to support the development and fails to demonstrate how additional traffic would not result in unacceptable impacts to highways safety. The residual cumulative impact on the road network would be severe and the application is contrary to Saved Unitary Development Plan Policies GP2 (Environmental Protection) and T13 (Parking Provision for Cars, Cycles and Taxis), TRAN2 (Managing Transport Impacts of New Development) of the Black Country Core Strategy, T4 (The Highway Network) of Walsall's Site Allocation Document and Paragraphs 110 and 111 of the National Planning Policy Framework.

2. This application fails to provide sufficient information to demonstrate that the development would not give rise to increased risk of flooding contrary to Saved Unitary Development Plan Policies GP2 (Environmental Protection) and ENV40 (Conservation, Protection and Use of Water Resources), ENV5 (Flood Risk, Sustainable Drainage Systems and Urban Heat Island) of the Black Country Core Strategy, EN3 (Flood Risk) of Walsall's Site Allocation Document and Paragraphs 167 and 169 of the National Planning Policy Framework.

3. Insufficient information has been submitted in support of this application to demonstrate whether the siting of the proposed building, and its proximity to Keepers Gate, would result in unacceptable additional impacts to occupiers of these adjoining flats in regard to loss of outlook and light to any nearest facing habitable windows. This application is contrary to Saved Unitary Development Plan Policy GP2 (Environmental Protection), Appendix D (Numerical Guidelines for Residential Development) of the Designing Walsall Supplementary Planning Document and Paragraph 130 of the National Planning Policy Framework.

4. The proposed design and siting of the building directly adjacent the three-storey Keepers Gate flats, and which would sit forward of the established building line fails to reflect the scale and pattern of development in the area. Furthermore, the proposed external materials fail to take account of the local vernacular which has a prevailing character of red bricks. The proposed design fails to respect the location of this prominent site and fails to take the opportunity to enhance the character of the area. This application is contrary to Saved Unitary Development Plan Policies GP2 (Environmental Protection) and ENV32 (Design and Development Proposals), ENV2 (Historic Character and Local Distinctiveness), ENV3 (Design Quality) and CSP4 (Place Making) of the Black Country Core Strategy, DW3 (Character) of the Designing Walsall Supplementary Planning Document and Paragraphs 130 and 134 of the National Planning Policy Framework.

5. The location of the proposed building, and associated infrastructure, has an unacceptable relationship to eight individual trees (T6-T11 inclusive, T17 and T18 which are protected) and four groups of trees (G1 and G2 which are protected, G3 and G4 inclusive). These trees make a useful contribution to the amenity and screening of the locality, being visible from Birmingham Road, Keepers Gate, Cricket Close and the adjacent tennis courts. This application is contrary to Saved Unitary Development Plan Policies GP2 (Environmental Protection), ENV18 (Existing Woodlands, Trees, and Hedgerows) and ENV32 (Design and Development

Proposals). NE7, NE8, NE9 and NE10 of Walsall's Supplementary Planning Document and paragraphs 130, 131, 133, 134, and 174 of the National Planning Policy Framework.

6. The landscaping plan (R/2614/1 Rev B) does not offer an acceptable level of compensatory tree planting for proposed loss of the protected trees and there is insufficient space around the site to do so. This indicates an overdevelopment of the site. The application is contrary to Saved Unitary Development Plan Policies GP2 (Environmental Protection), ENV17 (New Planting) ENV18 (Existing Woodlands, Trees, and Hedgerows) and ENV32 (Design and Development Proposals). NE7, NE8, NE9 and NE10 of Walsall's Supplementary Planning Document and paragraphs 130, 131, 133, 134, and 174 of the National Planning Policy Framework.

END OF OFFICERS REPORT