



Planning Committee

Date: 05/03/20

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: Hills Contractors, Westgate, Aldridge	
Supplemental Information	Officer Comments
<p>The applicant via his agent confirms;</p> <p>After some lengthy discussions with our client, we confirm we are not able to offer any sort of compromise as to the positioning of the batching plant.</p> <p>The position has been carefully decided to suit the site, after discussions with the suppliers of the equipment and with due regard to the traffic movements within the site to serve this plant and the other parts of the yard area.</p> <p>Please note Councillor Wilson was due to speak at the meeting but due to a business commitment cannot attend could you please indicate that I will possibly speak instead of him.</p>	<p>Noted. Recommendation remains as set out</p> <p>Noted. The applicant has not demonstrated how the vehicles will move in and around the batching plant, within the redline boundary. Recommendation remains as set out</p> <p>Noted</p>
	<p>Recommendation:</p> <ol style="list-style-type: none">1. The location of the proposed concrete batching plant, including the three silos, mixing unit and plate and aggregate hoppers located adjacent the site boundary together with the length of the proposed structure along the boundary would be visually prominent and visually intrusive when viewed from the adjacent Daw End Branch Canal and as such

	<p>would impose on the canal environment and detrimental to the canals recreational and amenity usage. The proposal would be contrary to the NPPF, policies GP2 and ENV32 of the UDP, policies ENV2, ENV3 and ENV4 of the BCCS AND Policy EN4 of the SAD.</p> <p>2. The proposal fails to provide details:</p> <ul style="list-style-type: none"> - of dust suppression on the open conveyor belt and loading areas - air quality details - noise assessment details for the noise from the proposed concrete batching plant - surface water drainage and protection against water pollution <p>Contrary to the NPPF, policies GP2, ENV32, ENV10 and ENV40 of the UDP, Policy ENV4 of the BCCS, Policy EN4 of the SAD and the AIR Quality SPD.</p>
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Item Number: 2 Site Address: 43 High Street Brownhills

Supplemental Information	Officer Comments
Pollution Control have requested the noise and contaminated land investigations be carried out in order to decide whether residential development will be appropriate on the site.	Given this information it is recommended that the noise assessment and land contamination/ground gas study be undertaken prior to the issue of a decision in order to confirm the appropriateness of the residential use, rather than as part of a condition as previously recommended. Consequently, the recommendation is to be updated accordingly
	<p>Recommendation:</p> <p>That 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"> -Securing a noise assessment to confirm the residential use is appropriate for the site -Securing a contaminated land investigation to confirm the residential use is appropriate for the site -To consult with the Council's Pollution Control Team to assess the findings of the noise and land contamination assessments to ensure the site is suitable for residential use and recommend any planning conditions -The amendment and finalising of conditions to take account of the findings of the assessments -Take account of any further correspondence that may be received

Item Number: 3 Site Address: 74 Cannock Road, Willenhall

The applicant has made the following comments;

When CarCraft relocated from its site in Birmingham there was a need to speedily transport the vehicles between the 2 sites. Larger lorries were used to assist the speedy transfer and these were what the local residents will have observed. The intention for future current and future deliveries is as set out in the material submitted to the Council.

It is not accepted that customers have caused issues with on-street parking. The observations made by CarCraft are that on-street parking is prevalent when parents/carers are dropping-off/collection children from the school. CarCraft is not so busy it has a lack of parking spaces off-street to accommodate visitors.

Question the need to consult about the office and preparation buildings – they are not ‘proposed’ buildings as suggested on page 30 of 55. These buildings already exist on-site and were used for the same purposes when the site was used for the storage, cleaning, repair and preparation of the portable toilets for hire. The buildings are being re-used for similar purposes as they currently stand.

The change of use has occurred so an implementation condition is unnecessary. The description of development includes the word ‘retention’ on the first page of the report

The approved plans need to be

Noted.

Noted. The issues regarding parking have been addressed in the officer’s report.

The committee report reflects the comments received from neighbours during the processing of the planning application.

Whilst noting the applicants comments, ‘the buildings are being re-used for similar purposes as they currently stand’, the car sales use is a new chapter in the planning history and it is reasonable to seek information on how each part of the site is to be used. The local planning authority has received representation, the building is being used for residential. For clarity, any decision will define the use of the building to be a commercial ancillary use to the main use of the site.

Noted. Following consultation with legal services, the planning condition will remain and reflects the national legislation

Noted. This was a typing error and the following plans are

<p>listed.</p> <p>Reflecting (1) above – details of the cycle shelter should be submitted for approval within say 3 months of the date of the decision.</p> <p>Conditons 4 and 5 –ok</p> <p>Condition 6 to be to be reworded. Only no deliveries on public and bank holidays is required because Saturday and Sunday are covered by the times stated.</p> <p>Conditions 7, 8 and 9 ok.</p> <p>Condition 10, the building is existing</p>	<p>relevant; Location plan submitted 23-09-2019, Block plan submitted 23-09-2020, Site layout plan submitted 23-09-2019, Rigid vehicle track plot submitted 30-12-2019, Parking, deliveries and collections operation management plan submitted 30-12-2019</p> <p>As this is a retrospective application, the covered and illuminated cycle shelter and its position on site will need to be submitted and approved prior to the issuing of the planning decision.</p> <p>Noted. The final word of condition 7 from Saturday to Sunday and some further minor rewording for enforceability</p> <p>Noted. The conditions will stand, as the committee report subject to some redrafting, to protect the amenities of neighbouring residential occupiers.</p> <p>Noted. Conditions 8 and 9 will be updated to ensure the customer and vehicles for sale layout is implemented in accordance with the plans within 2 months of the decision. If it is not carried out the use shall cease until the parking layout has been laid out, plus some additional rewording for enforceability</p> <p>Noted, condition to be amended.</p>
	<p>Recommendation: That Planning Committee resolve to Delegate to the Interim Head of Planning & Building Control to Grant Planning Permission Subject to amended Conditions and; -Securing details of the cycle shelter and to undertake a 14 day re-consultation -Securing the plans of the office and vehicle preparation area and to undertake a 14 day re-consultation -No new material considerations being received within the consultation period -The amendment and finalising of conditions -No further comments from a statutory consultee raising material planning considerations not previously addressed</p>

Item Number: 4 Site Address: 14 Newquay Close	
Page 35 of the planning committee agenda (plans list) shows a recommendation summary as refuse	For clarity, the planning application before planning committee falls to the planning inspectorate to determine as the applicant has appealed. The planning application period for determining the planning application has expired. The local planning authority is seeking confirmation from planning committee that the decision they would have made, had the application time had not expired. Given the live appeal, should the planning committee resolve to grant contrary to the recommendation, the local planning authority would be liable for costs
	Recommendation: The combination of the loss and change of use of the open space, with the erection of a boundary fence and lack of a planning statement considering the potential impact for the loss of open space and its enclosure, including safety and security of the location and impact on users of the open space and public footpaths, plus the impact on the wider amenity of the locality, is considered not to meet the aims and objectives of the National Planning Policy Framework (para 97), saved Walsall UDP Policy LC1, Black Country Core Strategy Policy ENV6 and Site Allocations Document Policy OS1
Item Number: 5 Site Address: Cherry Orchard, Bourne Vale	
Supplemental Information	Officer Comments
Requirement to ensure that the management of the gate mechanism is controlled adequately.	In order to ensure that the concerns of surrounding occupants and the Local Highway Authority are taken into account an additional condition is to be included to require the submission of a management plan for the proposed gate to deal with maintenance, the event of a failure, and the storage of number plate information.
Legal services have asked that the local planning authority confirms the owner of the land	Based on the planning application, the occupier of Cherry Orchard have confirmed they own the stretch of roadway be signing certificate A of the application forms.
	Recommendation: Grant subject to amending and finalising conditions