



# Walsall Council

Development Management

## PLANNING COMMITTEE

Report to the Head of Planning and Building Control

28<sup>th</sup> November 2024

### 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.

| <b>Plans list Item number: 1 – 23/1395</b>  |                                  |
|---|----------------------------------|
| <b>Application site address: Drayton Group Former Mercedes Benz Garage Dudley Street Walsall</b>  |                                  |
| <b>Supplemental Information</b>   | <b>Officer Comments</b>          |
| The application was not “called in” by Councillor Bird. The application is however put forward for a decision by the Planning Committee due to the recommendation for approval subject to conditions when a petition of over 10 signatures objecting to the proposal has been received. | No change to the recommendation. |

**Recommendation:** Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions, and subject to:

1. The amendment and finalising of conditions.

**Plans list Item number: 2 – 24/1087**  
**Application site address: 36-40 Walsall Road, Willenhall**

| Supplemental Information   | Officer Comments   |
|--|--|
| <p>The applicant has raised the following points in relation to reason 3 for refusal (failing to provide a Flood Risk Assessment for a site located in Flood Risk Zone 2):</p> <ul style="list-style-type: none"> <li>• They were not requested at any time during the application period to provide one.</li> <li>• The statement from the Lead Local Flood Authority is “This appears to be a non-major development, which lies outside of our agreement for statutory consultation” The applicant questions if it is not reasonable on reading the above statement, that no further action was required?”</li> <li>• Furthermore, having looked on the Flood Risk Area Gov.UK website, the area is classed as “low risk” in respect of surface water flooding.</li> </ul> | <p>It was not considered reasonable to request a Flood Risk Assessment in this instance, which would likely incur additional costs for the applicant, when there are other reasons for refusal that the Local planning Authority do not believe could be overcome with this submission.</p> <p>The response from the Lead Local Flood Authority only confirms our contract with this team. If we require comments on a non-major development, there is a fee structure in place. This is not the same as having no comments to make.</p> <p>Many sites that fall within Flood Zones 2 and 3 show ‘low risk’ of flooding based on data available on Gov.UK. This does not outweigh the requirement in accordance with the NPPF and Walsall’s Site Allocation Document Policy EN3 which requires a Flood Risk Assessment to be submitted with any application for development in Flood Zones 2 and 3, to demonstrate how flooding would be managed if it did occur.</p> <p>The points raised do not alter the recommendation or reasons for refusal.</p> |

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|--|---|
| <p>The applicant observed that there is no mention in the planning report of the public support petition issued by email on the 17/9/2024 and has attached a copy of the petition in an email to the case officer on 23/11/2024.</p> | <p>The Local Planning Authority has conducted a thorough search of all mailboxes and no copy of the original submission of the petition can be found. The first page petition of 251 signatures from members of the nearby Guru Nanak Gurdwara as received on 23/11/24 in support of the application has been appended below as annex 1.</p> <p>The petition observes that “The supermarket will specialise in South Asian foods, fruits and drink to cater for the niche products for the local needs of the 1000s attending the Sikh temple nearby as well as the passing shoppers.” This statement does not provide justification for the proposed use contrary to applicable policies. No change to the recommendation.</p> |
| <p><b>Recommendation:</b> Refuse</p>   |   |

| <p><b>Plans list Item number: 3 – 24/0361</b></p>   |   |
|---|---|
| <p><b>Application site address: Land at, Barr Lakes Lane, Walsall</b></p>   |   |
| <p><b>Supplemental Information</b></p>  | <p><b>Officer Comments</b></p>                            |
| <p>The applicant has requested that this application is deferred to a later committee to be given the opportunity to submit additional information for assessment to address the current reasons for refusal.</p> | <p>Chair agreed to seek Committee’s consent to defer.</p> |
| <p><b>Recommendation:</b> Refuse</p>  |   |

**Annex 1**

**PETITION**

The local residents and congregation of Guru Nanak Gurdwara, Walsall Road, Willenhall WV13 2RD **support the opening** of the G & G Supermarket at the former Daner Limited, 36 Walsall Road, Willenhall WV13 2EG to be opened as a Retail Supermarket lodged with a **Planning Reference number 24/1087** at Walsall Council.

The Supermarket will specialise in South Asian Foods, Fruits and drink to cater for the niche products for the **local needs** of the 1000s attending the Sikh Temple nearby as well as the passing shoppers.

| NAME          | ADDRESS                       | SIGNATURE  | DATE       |
|---------------|-------------------------------|------------|------------|
| DEEPAK KUMAR  | 24 Ashburn Grove              | [REDACTED] | 12/09/2024 |
| DEEPAK SINGH  | 24 Ashburn Grove              | [REDACTED] | 12/09/2024 |
| Yash Singh    | 11 Ashburn Grove              | [REDACTED] | 12/09/2024 |
| Hardeep Singh | "                             | [REDACTED] | 12/09/24   |
| K. K. SINGH   | 6 Ashburn Grove               | [REDACTED] | 12/09/24   |
| Rohinder Kaur | 24 Hargreaves Road            | [REDACTED] | 12/09/24   |
| Parninder     | 2 Ashburn Grove               | [REDACTED] | 12/09/24   |
| Anand Singh   | 1722 AND STONE ST. WILLENHALL | [REDACTED] | 12/09/24   |
| Colin Singh   | 38 Hargreaves Road            | [REDACTED] | 12/09/24   |
| Kulbir Singh  | 2 Ashburn Grove               | [REDACTED] | 12/09/24   |
| Lovinder      | 7 Ashburn Grove               | [REDACTED] | 12/09/24   |
| SAM           | 3 Ashburn Grove               | [REDACTED] | 12/09/24   |
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