



Planning Committee

Report of Head of Planning, Engineering and Transportation, Regeneration Directorate
on 28 April 2016

Supplementary Paper

Since preparing the agenda I have received the following further information relating to items on the agenda:

THE APPLICATION LIST

Item no.	Late Paper Contents	Officer Comments
Enf. Item: The Hawthorns	<p>Following the preparation of the committee agenda, officers met with the owners of the Hawthorns to secure an update on the current usage of the premises.</p> <p>The owners have confirmed the following points:</p> <ul style="list-style-type: none">• The property is now fully registered with the CQC as a care home for the provision of personal care.• The CQC has confirmed that the building is suitable for the provision of care.• Avery has employed a Registered Nurse as General Manager. The Deputy Manager is qualified to NVQ4 in Care and the four Team Leaders are qualified to NVQ3 in Care.• One or more of these staff is on duty 24 hours a day, 7 days a week.• All residents must have a care plan requiring daily checks on meals taken and welfare• All 16 of the current residents have care plans• The owners have submitted a draft	<p>Based on the information submitted, officers have undertaken their own assessment of the operation of care homes generally to ascertain whether the Hawthorns is being used as a care home.</p> <p>Consideration has been given to three key areas, the character of the building, the staffing and the needs of the residents.</p> <p>In light of the CQC registration, it is considered the building has been built and fitted out in a manner whereby the provision of care could be provided. Accordingly this test has been met.</p> <p>With six members of staff trained in care and one of these being a registered nurse, it is felt the second test has also been met.</p> <p>On the final test, the requirement for all residents to have a care plan indicates that the property cannot be used for general domestic</p>

	<p>unilateral s106 agreement to secure a minimum age for residents</p> <ul style="list-style-type: none"> • None of the existing residents at the Hawthorns owns a car and of more than 3,000 residents in Avery properties only 5 own and drive a car. 	<p>residential use. On this basis officers are now satisfied that the building is being used as a care home in accordance with the description of development for application 12/1400/FL.</p> <p>The applicants are aware retrospective applications are needed for the external lighting and the internal adaption of some residential rooms. In addition they have committed to ensuring obscured glazing where necessary is provided to the roof gardens to ensure no overlooking of neighboring residential properties.</p> <p>Amended Recommendation: Subject to the following criteria, no further enforcement action to be taken in respect of the Hawthorns Care Home</p> <ul style="list-style-type: none"> • Submission and approval of a retrospective application for the internal alterations and external lighting • Completion of a s106 agreement to secure a minimum age for residents and the provision of a residents minibus service • Continued registration with the CQC as a care home
1	<p>Ross Farm Open Space and The Lea Open Space - Sport England has no objections but strongly recommend that the scheme is altered to provide 2 adult pitches with ancillary facilities on Swannies Field.</p> <p>The applicant has responded as follows:</p> <ul style="list-style-type: none"> • the current proposal is based on a local preference for the pitch to be on the Lea • the site constraints of the Lea would lead to a second pitch being less than ideal orientation, requiring ball stop fencing to Goscote Lane and would require 	<p>It is considered that based on the applicants public consultation, budget constraints, the proposed mix of activities and the proposed improvement of the football facilities the scheme as submitted is acceptable and there are no changes to the recommendation.</p>

	<p>further ground works.</p> <ul style="list-style-type: none"> Based on current external funding availability, the costs of delivering the second pitch would impact on the ability to provide other aspects of the masterplan, which includes alternative sport and leisure facilities in addition to football. <p>Public Footpaths Officer – No objections, note to applicant required to inform of requirement to apply for stopping up order.</p> <p>Pollution Control Officers have raised concerns about potential noise from people or activities from facilities of this nature.</p>	<p>To be noted. No changes to recommendation.</p> <p>To be noted. No changes to recommendation.</p> <p>These risks are recognised, however the applicant has highlighted in the submission other skate parks which have not resulted in significant complaints within the borough. As an example a similar facility at Willenhall is located 40m from residential premises compared to the 90m in this case. The proposal has come forward following consultation with the public and no objections have been received.</p> <p>It is considered that should any noise complaints come forward following the installation of the facilities the Council, as operators of the site, would be able to address and resolve any such concerns in this instance.</p> <p>No change to the officers recommendation.</p>
2	<p>Muslim Welfare Society, Bills Street</p> <p>On page 17 of the agenda, fifth paragraph, reference is made to 2 car parking spaces. This should say 21.</p>	<p>To be noted. No changes to the recommendation</p>
5	<p>37 Field Maple Road, Streetly – Condition 4 has been split into 3</p>	<p>To be noted. No changes to the</p>

	<p>separate conditions to ensure clarity – The requirements of the condition remain the same.</p>	<p>recommendation</p>
<p>7</p>	<p>The applicant has registered to speak and has asked to present some photographs to the Committee as part of this.</p>	<p>She has been advised by e-mail that this is not allowed.</p> <p>To be noted. No changes to recommendation.</p>