



Walsall Council

Development Management

PLANNING COMMITTEE

Report to the Head of Planning and Building Control

21th July 2022

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: 2	
Application site address: Eagle Works, Somerford Place, Willenhall	
Supplemental Information	Officer Comments
Condition number 22 is a duplicate of condition number 8 and will be deleted.	To note. No change to the recommendation.
Environmental Protection recommend the following: i) Prevent installation of a solid fuel appliance (iii) Agree a Construction Management Plan	To note. No change to the recommendation.

<p>(iv) Prior to demolition, an asbestos survey shall be undertaken and a report produced identifying any asbestos containing material and measures to remove it.</p> <p>(v) Following the requirements of the Supplementary Ground Investigation Report submit and agree a Remediation Statement and a Remediation Statement.</p> <p>(vi) The requirements of the acoustics survey will need to be met and acoustic mitigations measures agreed in writing with the Local Planning Authority.</p> <p>Conditions to address the above have been provided.</p>	
<p>Pages 55 – 56 of the report should refer to the potential need to secure landscape management by way of a Section 106 rather than for an open space contribution as currently stated. As set out further above in the report, an open space contribution is not proposed to be sought in this instance due to independent assessment which shows that the proposal is unviable. The applicant has confirmed that a management company will be implemented to manage landscaped areas and this is usually secured by way of a S106. Further legal advice on this is being sought.</p>	<p>To note. Recommendation updated accordingly.</p>
<p>Local Highway Authority latest comments received on 12th July after the officer report had been finalised no longer require the re-location of parking spaces serving Plots 41 – 43 as currently required on Page 53 of the report. These changes will not therefore be sought.</p>	<p>To note. No change to the recommendation.</p>
<p>Applicant's planning agent raised the following queries:</p> <ul style="list-style-type: none"> • Ground contamination (Pg 54). To clarify, Environmental Protection concludes that a remediation strategy is required for localised contamination and ground gas. To 	<p>To note. No change to the recommendation.</p>

<p>be secured by condition. Condition 9 relates to demolition and potential for asbestos.</p> <ul style="list-style-type: none"> • Updates to conditions and triggers contained therein. To be discussed and agreed. • Reasons for decision (Pg 56) – concerns regarding bin store, heritage matters, air quality and parking layout have been addressed and these matters form relevant reasons for the decision in place of the current stated visual impact and character and appearance. 	
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions subject to: the amendment and finalising of conditions:</p> <ul style="list-style-type: none"> • And subject to the potential need to secure on-going landscape management via a Section 106 Agreement. 	

Plans list item number: 4 Application site address: 2 Walsall Road, Willenhall	
Supplemental Information	Officer Comments
<p>Environmental Protection - requires the applicant to: (i) As a minimum a desktop survey and appraisal shall be undertaken to determine whether an intrusive site investigation is required (ii) Install the acoustic glazing and ventilation as required by the Noise Impact Assessment (iii) Prevent installation of a solid fuel appliance (iv) Agree an Air Quality Low Emission Scheme in writing (v) Agree a Construction Management Plan Conditions to address the above have been provided.</p>	<p>No change to recommendation</p>
<p>Coal Authority Comments – No objections subject to a condition for the undertaking of intrusive site investigations, prior to the commencement of development, is considered to</p>	<p>No change to recommendation</p>

<p>be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site.</p>	
<p>Strategic Planning Policy – Support the application</p>	<p>No change to recommendation</p>
<p>Environment Agency - We have produced a series of standard comments for LPAs to refer to on 'lower risk' development proposals where flood risk is an issue to replace direct case by case consultation with us. The site boundary lies partially within Flood Zone 2 according to our Flood Map for Planning (Rivers and Sea) and therefore, this application sits within this category.</p>	<p>No change to recommendation</p>
<p>Highways – Objections The main trust of the Highway Authority's concerns is that the revised layout is still based upon;</p> <p>1. The parking spaces being at an awkward acute angle to the access road. As a consequence, residents will still be reliant on turning and manoeuvring on the adjacent commercial access areas over which the residents would have no control. This is likely to result in conflicts and disputes. Access to the parking spaces mixes residential traffic with commercial traffic parking and is likely to result in conflicts and disputes and not a safe environment for residents.</p> <p>As far as the Highway Authority is concerned the residents access, parking and manoeuvring areas should be completely separated from those used by the adjacent commercial uses and not shared so that an element of conflict and disturbance between the different uses is minimised.</p>	<p>No change to recommendation</p>

<p>2. The proposed gates at the shared access does raise a security and operational issues. Presumably the gates are to provide security mainly for the commercial uses at night. How will this operate where it is shared with residential traffic where access will be required 24/7? For example, how will visitors to the dwelling gain access through the closed gates? Who will maintain the control over and maintain the gates? There is a concern for the Highway Authority that if there is pressure to restrict access then this may displace parking on street where there are peak time restrictions.</p> <p>3. The existing gates at the access swing forward due to the level difference. The proposed gates Rev P 3 are shown swinging backwards. How will this be achieved if the ground level rises up? Forward opening gates mean that vehicles have to sit on the highway allowing sufficient space to open the gates. The development will result in an intensification of the use of the access and so either the gates need to be set back at least 5m from the carriageway kerb line and open inwards or removed entirely from the scheme.</p>	
<p>Recommendation: REFUSE</p>	

<p>Plans list Item number: 5</p>	
<p>Application site address: Site of Former 37 to 38, Pinfold Street, Darlaston</p>	
<p>Supplemental Information</p>	<p>Officer Comments</p>
<p>Potential purchase of Council land referred to in the report relates to the reason for bringing the application before Planning Committee in line with the Council's constitution and does not form part of the officer recommendation.</p>	<p>To note. Recommendation updated accordingly.</p>

It has come to light that the applicant is now a serving Councillor (Councillor Mehmi). At the time the application was submitted this was not the case.	To note. No change to recommendation.
The red line boundary has been amended on the site plan on the presentation. This now reflects the correct red line boundary.	To note. No change to recommendation.
Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to the amendment and finalising of conditions	