



Walsall Council

Development Management

PLANNING COMMITTEE

Report to the Head of Planning and Building Control

7 September 2023

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: 1	
Application site address: WIENERBERGER LTD, SANDOWN WORKS, 175 STUBBERS GREEN ROAD, ALDRIDGE.	
Supplemental Information	
Clarification from agent - At the time of submission there were 50,000m ³ of reserves remaining in the quarry, clearly this would have reduced further during the determination period (likely to be about 30,000m ³). If the brickworks were to only	Noted – No change to the recommendation.

<p>use this material, the reserves would last less than 6 months. As set out within the NTS, if only 5% came from the quarry this could last up to 5 years, albeit now reduced further.</p> <p>The total amount of clay required for the factory is 200,000 tonnes per year therefore the 10,000 tonnes quoted is 5% of this.</p>	
<p>Recommendation: Delegate to the Head of Planning and Building Control to Grant Planning Permission subject to conditions and no new material considerations, the amendment and finalising of conditions, and no further comments from a statutory consultee raising material considerations not previously addressed.</p>	

<p>Plans list Item number: 2 Application site address: SITES AT TEMPLE BAR, CEMETERY ROAD, VILLERS STREET, NEW HALL STREET AND FORMER INGERSOLL RAND ARCHITECTURAL HARDWARE, MOAT STREET, WILLENHALL, WV13 1SZ</p>	
<p>Supplemental Information</p>	<p>Officer Comments</p>
<p>The following consultation responses have been received to date on the amended plans and additional information:</p> <p>Environmental Protection: This addendum is provided in addition to the consultation response submitted on 14 July 2023.</p> <p>Following the consultation response Environmental Protection has received an odour complaint against Wedges from a resident in Springbolt Way, who also has health concerns due to emissions from the business.</p> <p>Environmental Protection has concerns, the introduction of further sensitive receptors may only exacerbate any on-going issues regarding noise and malodour. Such complaints are more likely to be made as individuals new to the area may have expectations regarding the environment in which they live i.e., assuming that there is an absence of noise and offensive</p>	<p>Noted & provided comments to Agent/Applicant to address noise and malodour issues from nearby businesses - Recommendation. Updated to take account of this</p>

<p>odour. As we had not previously received complaint about odours this issue was not raised, however, Development Management will now need to fully consider the impact of malodour during the application process.</p> <p>Note – the previous consultation we advised that the Agent of Change Principle is relevant to this current planning application.</p> <p>Public Lighting: In terms of the responses, as well as that from Highways, within the West Midlands Police response is a request for new street lighting to be in accordance with BS5489 and to be LED. This we would consider a minimum requirement, but we would also need to understand the assessed traffic and pedestrian usage so we could determine the standard under BS5489 to be applied.</p> <p>Conservation: No conservation objections to the amended layout and description.</p>	<p>Noted – No change to the recommendation.</p> <p>Noted – No change to the recommendation.</p>
<p>Recommendation: Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and a Section 111 Agreement to secure a Section 106 Agreement to include affordable housing provision and open space contribution and subject to:</p> <ul style="list-style-type: none"> • The amendment and finalising of conditions; • Addressing concerns regarding flood risk/drainage, ground conditions, heritage, trees , Public Rights of Way, noise and malodour from nearby businesses; <p>and;</p> <ul style="list-style-type: none"> • Subject to no further objections from statutory consultees in response to the amended plans received. 	

<p>Plans list item number: 3 Application site address: Land North of Northfields Way</p>	
<p>Supplemental Information</p>	<p>Officer Comments</p>

<p>Planning agent has requested the application be withdrawn from this committee agenda as the application is presently incomplete. Deferment will allow the assessment phase of the application to be completed ahead of reporting to Members.</p>	<p>The chair of planning has agreed to withdrawal from this planning committee. Whilst the planning authority noted the agent's comments, it is considered that there was sufficient information for the LPA to determine the application.</p>
<p>Recommendation: Deferred from this planning committee</p>	

<p>Plans list Item number: 4 Application site address: Boatmans Rest 20 High Street Walsall Wood</p>	
<p>Supplemental Information</p>	<p>Officer Comments</p>
<p>2 additional objections received from third parties regarding overlooking, highway safety, visual impact, scale and size of the development is inappropriate in this location, design is at odds with the architecture of surrounding buildings on High Street and St Johns Close.</p>	<p>Noted – These matters already addressed in the report. No change to the recommendation.</p>
<p>Floor space for dwellings is noted on drawing number 32 Revision B. Applicant advises the dwellings meet the minimum Nationally Described Technical Space Standards 2015.</p>	<p>Noted – Page 96 of the report, second paragraph first sentence third and fourth word 'do not' to be removed. No change to the recommendation.</p>
<p>Environmental Protection - requires the applicant to undertake a noise survey to inform of any required mitigation measures that are required to ensure future occupiers of the proposed development will not be subject to excessive noise. A contaminated land assessment to be undertaken to determine if the site is suitable for residential use or inform of any mitigation measures required and for a site survey to be undertaken to identify any potentially hazardous materials and, if required, the submission of a validation report to demonstrate no ground contamination has occurred. Conditions to prevent or minimise environmental impact during construction.</p>	<p>Noted – Recommendation updated to include additional reason for refusals for lack of noise assessment and contaminated land.</p>

<p>Comments from the applicant's agent - regarding the applicant did not receive a further request for highway changes and would have submitted changes to overcome the concerns.</p> <p>Separation distances are 15 m between habitable windows and blank walls.</p> <p>While the building is three storeys, the second floor is stepped back over the high street so to reduce impact and a fair distance is maintained</p>	<p>Noted- the planning authority had already sought amendments a couple of times previously- No change to the recommendation.</p> <p>Noted- No change to the recommendation.</p> <p>Noted- No change to the recommendation.</p>
<p>Tree Officer Comments - The proposal will necessitate the removal of 4 trees on site protected by Tree Preservation Order title no. 43/2006. In addition, a prominent Cypress hedge adjacent St. John's Close would need to be removed to accommodate the proposed layout. The most significant protected tree that would need to be removed is a mature Ash in the centre of the site which using BS 5837 tree categories is categorised as 'B1' which is a tree of moderate quality with a lifespan of at least 20 years. The other 3 protected trees proposed for removal on site (all Ash) are categorised a 'C1' which are trees of lower quality (primarily due to poor quality crown reductions being undertaken in the past). However, the crowns will readily regenerate, and it is considered that where the 3 Ash trees are located at the front of the site that they will still provide some visual amenity and screening. It is also considered that the proposed site layout is such that there is little space for any meaningful tree planting to be undertaken in the event the application is granted consent. Consequently, the application is recommended for refusal due to the loss of protected trees on site and insufficient space to undertake any</p>	<p>Noted – Recommendation to be updated to include an additional reason for refusal for loss of protected trees and no opportunity for replacement within the site.</p>

meaningful tree planting should the application be given consent.	
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Recommendation: REFUSE as set out in the committee report including additional reasons for refusal for lack of noise assessment, contaminated land assessment and loss of protected trees and no space for replacement trees
