



# Walsall Council

Development Management

## PLANNING COMMITTEE

Report to the Head of Planning and Building Control

26/05/2022

### 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.

<b>Plans list item number: 1</b>	
<b>Application site address: FORMER MCKECHNIE BRASS LTD, MIDDLEMORE LANE, ALDRIDGE, WALSALL, WS9 8SP</b>	
<b>Supplemental Information</b>	<b>Officer Comments</b>
Four further objections received from residents on 3 <sup>rd</sup> , 4 <sup>th</sup> , 8 <sup>th</sup> and 23 <sup>rd</sup> May 2022.	Noted. The objections are already considered and addressed in the report. No change to officer recommendation.
Email received 28/04/2022 from the planning agent providing additional details as requested by the LLFA.	Re-consultation sent to LLFA on 26/05/2022 on additional information. No change to officer recommendation.
Email received 28/04/2022 from planning agent clarifying that although the Committee reports states that <i>'the PEA has</i>	Noted. No change to officer recommendation.

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<p><i>indicated that a number of further protected species surveys are recommended at the site</i> and these will be implemented as a condition on any approval', the protected species surveys have been undertaken and form part of the application in Appendix N (Otter and Water Vole Report), Appendix O (Bat Activity Report) and Appendix P (PWMS for Hedgehog, Reptiles and Amphibians). No further surveys are therefore required.</p>	
<p>Email received 11/05/2022 from the planning agent- additional information submitted which includes a Canal condition survey to address the concerns of the Canal and River Trust, an additional note on Air Quality to supplement the existing assessment to address the objection from Environmental Protection and a Waste technical note, providing details in relation to the types of waste which will be accepted at the WTS / HWRCs at Middlemore Lane for the avoidance of doubt.</p>	<p>Re-consultations sent to CRT and Environmental Protection on 26/05/2022 on additional information. Information within the technical note on waste is noted. No change to officer recommendation.</p>
<p>Email received 11/05/2022 from the planning agent raising concern with proposed conditions.</p>	<p>Noted. The recommendation refers to the amendment and finalising of conditions. No change to officer recommendation.</p>
<p>Amendments to planning condition no's 6,8,9,15,16,19,20,21 recommended by Legal Services to ensure they meet the usual tests.</p>	<p>Noted. The recommendation refers to the amendment and finalising of conditions. No change to officer recommendation.</p>
<p><b>Recommendation:</b></p> <p>Planning Committee resolve to Delegate to the Head of Planning &amp; Building Control to Grant Planning Permission Subject to Conditions and subject to:</p> <ul style="list-style-type: none"> <li>• No new material considerations being received within the consultation period;</li> <li>• The amendment and finalising of conditions;</li> <li>• No further comments from a statutory consultee raising material planning considerations not previously addressed;</li> <li>• Overcoming the outstanding objections raised by Inland Waterways Association (Lichfield Branch), The Lead Local Flood Authority, Canal and River Trust and Environmental Protection.</li> </ul>	

**Plans list Item number: 2**  
**Application site address: FRYERS ROAD HOUSEHOLD WASTE AND RECYCLING CENTRE, FRYERS ROAD, BLOXWICH, WALSALL, WS2 7LZ**

Supplemental Information	Officer Comments
Email received 28/04/2022 from the planning agent providing additional details as requested by the LLFA.	Re-consultation sent to LLFA on 26/05/2022 on the additional information. No change to officer recommendation.
Email received 11/05/2022 from the planning agent which included a Waste technical note, providing details in relation to the types of waste which will be accepted at the HWRC at Fryers Road for the avoidance of doubt.	Information within the technical note on waste is noted. No change to officer recommendation.
Email received 11/05/2022 from the planning agent which has raised concern with proposed conditions.	Noted. The recommendation refers to the amendment and finalising of conditions. No change to officer recommendation.
Amendments to planning condition no's 7,15,17,19,20 recommended by Legal Services to ensure they meet the usual tests.	Noted. The recommendation refers to the amendment and finalising of conditions. No change to officer recommendation.
<b>Recommendation:</b> Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to: <ul style="list-style-type: none"> <li>• No new material considerations being received within the consultation period;</li> <li>• The amendment and finalising of conditions;</li> <li>• Overcoming the outstanding objections raised by the Lead Local Flood Authority.</li> </ul>	

**Plans list Item number: 3**  
**Application site address: 86 Lichfield Road, Walsall, WS4 1PY**

Supplemental Information	Officer Comments
Further objection received from resident received 20/05/22. Matters already considered and addressed in the officer report will not be repeated here. New matters raised are as follows ( <i>officer comments in italics</i> ): <ul style="list-style-type: none"> <li>- Justification on Council's expert position requested (<i>this is set out in the officer report and in the consultation response which can be provided on request</i>);</li> </ul>	No change to officer recommendation and note to applicant to be updated accordingly.

- Permitted Development rights lost >10years and no business use in 16 years (*noted. Position remains that Inspector granted permission subject to conditions*);
- Disputes distance to local centre (*measured from site to local centre boundary on Council's mapping system*);
- Site and appeal history explained (*noted*);
- Requests sight of similar previously agreed conditions (*not available at this time. Conditions meet the NPPF tests*);
- Accuracy of Inspectors condition 2 re British Standard (*taken directly from Inspector's decision notice*);
- No response to neighbours noise consultant in June 2020 (*noise consultant advised case officer in email of 11/06/2020 he would make contact following discussion with neighbour. Neighbour issued letter of objection including consultant advice on 18/06/2020 which was considered and addressed in previous application 20/0415*);
- Environmental Protection Team have duty of care to protect neighbours amenity (*the conditions set out are considered to achieve this*);
- Offers suggested changes to conditions and notes to applicant (*noted but cannot be accepted for reasons already set out in report*);
- Suggests Good Friday is added to bank holidays (*noted this will be included*);
- Disagrees that condition 8 is sufficient to protect amenity (*this is based on advice from the Council's expert*);
- Suggests Good Friday is added to bank holidays (*noted this will be included*); and
- Disagrees that condition 8 is sufficient to protect amenity (*this is based on advice from the Council's expert*).

Circa 600 page letter of complaint and appendices received from resident on 25/05/2022 includes representations made to this current planning application which have been considered and addressed in the officer report and in the supplementary paper above.	No change to officer recommendation.
<b>Recommendation: Planning Committee resolve to Delegate to the Head of Planning &amp; Building Control to Grant Planning Permission Subject to Conditions</b>	

Plans list Item number: 4 Application site address: 2 Walsall Road	
Supplemental Information	Officer Comments
Updates to be made to final refusal reasons to clarify points within the reasons.	Noted. Recommendation updated to Planning Committee resolve to Delegate to the Head of Planning & Building Control to finalise refusal reasons.
Comments received by the Tree Officer to confirm no objection subject to conditions. If Members are minded to approve the application a condition requiring the submission of soft landscaping details be included with any consent that may be forthcoming.	Noted. No change to recommendation.
<b>Recommendation:</b> Planning Committee resolve to Delegate to the Head of Planning & Building Control to finalise refusal reasons.	

**Plans list Item number: 5**

**Application site address: FORMER ALLOTMENTS REAR OF 1 TO 9, CRICKET CLOSE, WALSALL**

<b>Supplemental Information</b>	<b>Officer Comments</b>
<p>An email received on 22/05/22 from a local resident in relation to concerns raised regarding Highway safety.</p> <p>The local resident has also asked for clarification in relation to the Tennis Courts being shown outlined in blue with the applicants Transport Statement of 30 March 2020.</p> <p>An email has been received by Cllr Councillor Rasab on 24/05/22 to confirm his endorsement of the local resident's comments in relation to highways safety.</p>	<p>Noted. The update reports confirm The Local Highway Authority have not raised highway safety concerns, which the applicant has now also demonstrated as part of their appeal submission.</p> <p>It is confirmed as set out in the previous committee reports that the Tennis Courts do not form part of the application site for this current proposal and fall outside of the red line boundary.</p> <p>Councillor position noted.</p>
<p>Amendment to conditions to be updated as part of the Council's Appeal Statement.</p>	<p>To note.</p>
<b>Recommendation: Updated resolution required from Members on how they would have determined the application had the non-determination appeal not been lodged.</b>	