

Planning Committee

Report of Head of Planning and Building Control on 21 June 2021

Plans List Item Number: 3

Reason for bringing to committee

Major Application

Application Details

Location: FORMER MCDONALDS, HIGH STREET, BROWNHILLS, WALSALL, WS8 6HE

Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 45 APARTMENTS (AFFORDABLE HOUSING UNITS) AND ASSOCIATED CAR AND CYCLE PARKING AND LANDSCAPING.

Application Number: 20/1295

Case Officer: Gemma Meaton

Applicant: Fitzpatrick Group and whg

Ward: Brownhills

Agent: Rapleys LLP

Expired Date: 19-Jan-2021

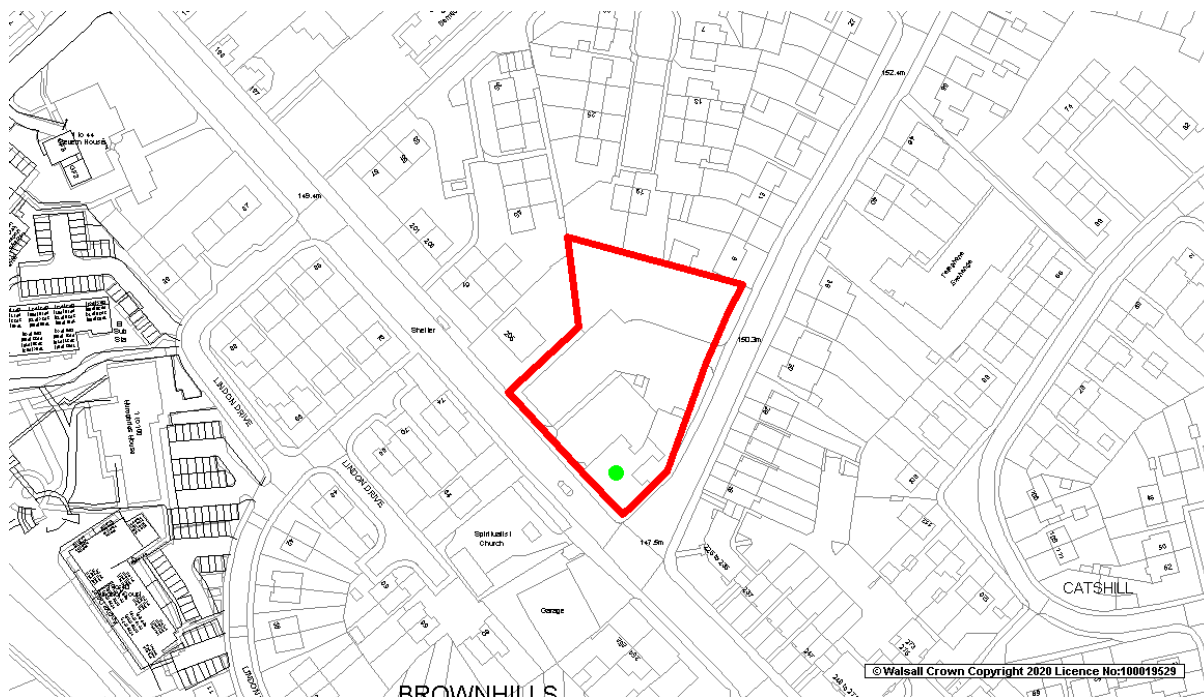
Application Type: Full Application: Major Use Class C3 (Dwellinghouses)

Time Extension Expiry: 28-Jun-2021

Recommendation

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

- No new material considerations being received within the consultation period;
- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed;



Proposal

The proposal involves demolition of the former public house building and erection of 45 flats with associated parking, servicing, amenity space and access. There are 35 no. 1 bed 2 person apartments and 10 no. 2 bed 3 person apartments proposed.

The two buildings would be between 2 and 4 storeys high, and the built development extends along both highways with parking and landscaping at the rear.

The new development is designed to create a focal point around the corner of the site and provide a strong building line along both the High Street and the Ogle Road frontages. The building rises to 4 storeys on this corner, with a varied and modulated eaves line along both Ogle Road and High Street, providing additional interest to the main street facades.

At the western end of the High Street frontage the building is stepped back and reduced in scale to respond to the location of the existing single storey office building that lies directly adjacent to the west. At the northern end of the site, adjacent to no. 9 Ogle Road, again the building is stepped back and reduced in scale in response to the adjacent 2 storey residential dwellings. All the buildings are set back behind a metal railing, set at back of pavement, with hedge planting behind.

The main vehicular access into the site and the landscaped parking courtyard is located on Ogle Road, in a similar location to the existing vehicular site access and to ensure that adequate forward visibility can be achieved in both directions. There are then a series of pedestrian entrances into the building which again lead directly from the High Street and Ogle Road frontages.

The courtyard also accommodates the communal external amenity area, which provides a landscaped and paved garden in addition to the private balcony areas that are provided to all apartments. It is proposed to include secure storage for 36 cycles, 4 adjacent to plot 45 and the

remainder clustered in the south western corner of the site.

The courtyard parking area accommodates 45 car parking spaces set to the northern end of the site. All the spaces and access driveway will be block paving, some of which will be permeable with contrasting colours for the bays and driveway.

The apartments are served by a central corridor with a feature circulation and staircase core at each end, one fronting onto Ogley Road and the other onto High Street. These circulation cores provide direct pedestrian access for residents from the main streets, with a secondary access into the landscaped parking court.

Apartments, plots 39 to 41 have a dual aspect with additional gable windows into the kitchen and dining room, located on the gable, which provide additional interest and increased natural surveillance over the access drive.

The site area is 0.35 hectares which equates to a density of 128 dwellings per hectare.

The proposed development will provide 100% affordable housing and will be passed to WHG on completion.

The Design & Access Statement – Describes the site its context, existing structures, boundary treatments and vegetation. The statement lists the documentation submitted in support of the application, a detailed description of the proposed layout and design considerations, refuse collection, boundary treatments, landscaping, facing materials, a statement regarding safety and security and sustainability of the proposal.

The Planning Statement – Describes the proposal and planning history of the site, summarises the relevant planning policy and pre-application advice received, provides an overview of planning considerations including, the principle of the development, design, residential quality and amenity, affordable housing, access parking and traffic, ecology, air quality, drainage, contamination and sustainability.

The Asbestos Report – Provides results of an asbestos survey indicating that no asbestos was found however areas were inaccessible meaning incidence of asbestos containing chemicals is assumed in those areas. Provides an overview of statutory requirements and legislation for dealing with asbestos.

The Drainage Strategy – Highlights that there is sufficient capacity on the sewer network to cater for the development. Explains that the site is in flood zone 1 and therefore at very low risk of fluvial flooding. Due to the development layout and topography of the site a surface water attenuation cascade system has been provided for surface water attenuation to accommodate the 100 year + 40% allowance for climate change. Tanked porous paving to proposed car parking has been specified, the finished floor levels to all residential units will be set at a minimum of 150mm above adjacent ground levels to provide protection during periods of exceedance, flood routing in exceedance events will be directed to Ogley Road in line with the existing situation. This mitigation would ensure the development could be provided in accordance with sustainable urban drainage best practice.

The Desk Study Report – Provides an overview of past on site and local uses and potential for contamination. Concludes that no further action should be required at this site as the desk study finds that the site is in a low risk area for contamination. Should circumstances change, such as a change of use of the site or a significant change in the surrounding area further investigation may be required. A watching brief should be imposed should any works be carried out onsite to validate any areas of potential gross contamination and ensure any unidentified impacts can be characterised and treated appropriately

The Environmental Noise Assessment – Considers the noise from traffic in High Street and Ogley Road. It concludes that based on measured noise levels, whilst it will be necessary to design mitigation measures into the development to ensure suitable living conditions for future residents, noise levels are not at a level that would prevent the use of the site for residential development.

The Ecological Impact Assessment – aims to provide an assessment of the ecological importance of the site and potential to support protected ecological features, to assess any potential impacts and make recommendation for mitigation or further work required. A preliminary bat roost assessment was undertaken which found the building has a high potential to support bats, and a tree with a low potential, although no bats were observed during surveys. The tree should be soft-felled under the supervision of an ecologist. The site has limited potential to support nesting birds therefore removal and demolition should be done outside bird nesting season, or checked by an ecologist. Post-development enhancements have been provided to create nesting habitat for bird species and roosting habitat for bats.

The Transport Assessment – states that the site is in a highly sustainable location, with easy access to walking, cycling and bus routes. Concludes that the proposed development will generate a negligible number of new vehicle trips to the highway network, especially when considered against the prior uses of the site. The layout of the proposed development allows all servicing to take place from the public highway, removing the need for refuse and fire appliances to enter the parking courtyard. The car parking spaces will not be assigned to individual units and will therefore incorporate a mix of residents and visitor spaces. The car parking provision of 100% is expected to be sufficient to account for the likely demand generated by the proposal.

The Viability Assessment Report – Highlights that the assessment of the proposed scheme concludes that the Residual Land Value for the 100% open market scheme is approximately £697,000 less than the Benchmark Land Value which demonstrates that there is no financial headroom for the scheme to provide any affordable housing or pay any S106 Contributions.

Site and Surroundings

The application seeks residential redevelopment of the former Warreners Arms public house site, located at the junction of the A452 High Street and the A461 Ogley Road. The site is not within a conservation area and the buildings on the property are not listed or part of the local list. The site is less than 200m from the boundary of the Brownhills District Centre.

The existing building is two storeys in height and is located on the back of footway at the front corner of the site adjacent to the highway junction. The remainder of the site comprises the car

parking areas and an overgrown garden. Until recently there has been a temporary hand car wash operating from the premises.

The site is bounded to the north and east by residential properties ranging from two to four storeys in height. There is also a single storey building to the west of the site which accommodates an accountants practice and on the opposite side of High Street is a Church and Motor garage. The character of the area is predominantly residential with commercial uses increasing to the west. The existing building was previously adapted by McDonald's Restaurant.

The public house has been vacant since 2004 and has since fallen into disrepair to such an extent that retention and conversion is no longer viable. Its demolition is therefore proposed.

Relevant Planning History

06/0766/FL/E3 – Redevelopment and conversion of former Warreners Arms building to accommodate 38 flats with parking – Refused July 2006 for six reasons broadly relating to (1) dominance of the proposed buildings within the site (2) over-dominance of parking areas detrimental to the outlook of occupiers and visual amenities of the area (3) incorporation of single aspect units detrimental to residential amenities (4) poorly defined public and private space and lack of surveillance to the street (5) unacceptable alterations to the existing building (6) unacceptable demand on education and public open space in the absence of contributions to address the shortfalls.

07/1535/FL/E11 – Demolition of former Public House and construction of 58 Flats. Withdrawn full valid application 10/04/2017

The proposals for were considered to address the reasons for refusal under 06/0766/FL/E3. The application was approved by planning committee but ultimately withdrawn due to inability to come to a mutually acceptable s106 agreement.

11/1542/ND – Screening opinion for residential development of 58 apartments with access, car parking and landscaping – EA not required - January 2012.

Hand Car Wash

08/1604/FL – Temporary consent for a maximum of 3 years to change use of site to hand car wash – GSC 19/12/2008

10/0892/FL – Temporary three year planning approval for hand car wash – GSC 23/12/2010.

12/0361/AD – Two revolving signs – GSC - 17/05/2012

13/1535/FL - Proposed retention of hand car wash and valeting use, including ancillary equipment and structures, for further 5 years. GSC - 09/01/2014

18/1703 - Permeant change of use to hand car wash and valeting use, including ancillary equipment and structures. Refuse Permission - 12/02/2019

19/0380 - Temporary change of use to hand car wash and valeting with ancillary equipment and structures (12 months temporary use sought). – GSC 23/07/2019

There was a temporary consent granted to use the site for car sales but this has not been implemented.

Relevant Policies

National Planning Policy Framework (NPPF)

www.gov.uk/guidance/national-planning-policy-framework

The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a "*presumption in favour of sustainable development*".

Key provisions of the NPPF relevant in this case:

- **NPPF 2 – Achieving sustainable development**
- **NPPF 4 – Decision Making**
- **NPPF 5 – Delivering a sufficient supply of homes**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 14 – Meeting the challenge of climate change, flooding and coastal change**
- **NPPF 15 – Conserving and enhancing the natural environment**
- **NPPF 16 – Conserving and enhancing the historic environment**

On **planning conditions** the NPPF (para 55) says:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved. Conditions that are required to be discharged before development commences should be avoided unless there is a clear justification.

On **decision-making** the NPPF sets out the view that local planning authorities should approach decisions in a positive and creative way. They should use the full range of planning tools available and work proactively with applications to secure developments that will improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

National Planning Policy Guidance

On **material planning consideration** the NPPG confirms- planning is concerned with land use in the public interest, so that the protection of purely private interests... could not be material considerations

Reducing Inequalities

The Equality Act 2010 (the '2010 Act ') sets out 9 protected characteristics which should be taken into account in all decision making

Development Plan

www.go.walsall.gov.uk/planning_policy

Saved Policies of Walsall Unitary Development Plan

- 3.6 to 3.8 Environmental Improvement
- 3.9 Derelict Land Reclamation
- GP2: Environmental Protection
- GP3: Planning Obligations
- ENV10: Pollution
- ENV11: Light Pollution
- ENV14: Development of Derelict and Previously-Developed Sites
- ENV17: New Planting
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV25: Archaeology
- ENV27: Buildings of Historic or Architectural Interest
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- ENV40: Conservation, Protection and Use of Water Resources
- H4: Affordable Housing
- T7 - Car Parking
- T8 – Walking
- T9 – Cycling
- T10: Accessibility Standards – General
- T11: Access for Pedestrians, Cyclists and Wheelchair users
- T12: Access by Public Transport (Bus, Rail, Metro and Ring and Ride)
- T13: Parking Provision for Cars, Cycles and Taxis
- 8.3 Urban Open Space
- 8.7 to 8.9 Strategic Policy Statement
- LC1: Urban Open Spaces

Black Country Core Strategy

- Vision, Sustainability Principles and Spatial Objectives
- CSP1: The Growth Network
- CSP2: Development Outside the Growth Network
- CSP4: Place Making
- DEL1: Infrastructure Provision
- HOU1: Delivering Sustainable Housing Growth
- HOU2: Housing Density, Type and Accessibility
- HOU3: Delivering Affordable Housing
- TRAN1: Priorities for the Development of the Transport Network
- TRAN2: Managing Transport Impacts of New Development
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness

- ENV3: Design Quality
- ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV6: Open Space, Sport and Recreation
- ENV7: Renewable Energy
- ENV8: Air Quality

Walsall Site Allocation Document 2019

RC1: The Regeneration Corridors

HC1: Land allocated for New Housing Development

HC3: Affordable Housing and Housing for People with Special Needs

OS1: Open Space, Sport and Recreation

LC5: Greenways

EN1: Natural Environment Protection, Management and Enhancement

EN3: Flood Risk

T4: The Highway Network

Supplementary Planning Document

Conserving Walsall's Natural Environment

Development with the potential to affect species, habitats or earth heritage features

- NE1 – Impact Assessment
- NE2 – Protected and Important Species
- NE3 – Long Term Management of Mitigation and Compensatory Measures

Survey standards

- NE4 – Survey Standards

The natural environment and new development

- NE5 – Habitat Creation and Enhancement Measures
- NE6 – Compensatory Provision

Development with the potential to affect trees, woodlands and hedgerows

- NE7 - Impact Assessment
- NE8 – Retained Trees, Woodlands or Hedgerows
- NE9 – Replacement Planting
- NE10 – Tree Preservation Order

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW7 Diversity
- DW8 Adaptability
- DW9 High Quality Public Realm
- DW9(a) Planning Obligations and Qualifying development
- DW10 Well Designed Sustainable Buildings

Open space, sport and recreation

- OS1: Qualifying Development
- OS2: Planning Obligations
- OS3: Scale of Contribution
- OS4: Local Standards for New Homes
- OS5: Use of Contributions
- OS6: Quality and Value
- OS7: Minimum Specifications
- OS8: Phasing of On-site Provision for Children and Young People

Affordable Housing

- AH1: Quality of Affordable Housing
- AH2: Tenure Type and Size
- AH3: Abnormal Development Costs
- AH4: Provision Location
- AH5: Off Site Provision

Air Quality SPD

- **Section 5 – Mitigation and Compensation:**
- Type 1 – Electric Vehicle Charging Points
- Type 2 - Practical Mitigation Measures
- Type 3 – Additional Measures
- 5.12 - Emissions from Construction Sites
- 5.13 – Use of Conditions, Obligations and CIL
- 5.22 - Viability

Consultation Replies

Archaeology

No objection subject to a condition to secure trial trenching (and excavation or watching brief, dependant on the results) to preserve by record any archaeology here, and if deemed necessary Level 2 historic building recording of the pub prior to demolition.

Highways England

No comment

Historic England

No comment

Housing Standards

No comment

Housing Strategy

Support. There will be a requirement for 25% social rent housing on site, or commuted sum contribution if there is no registered provider. This contribution would be subject to the viability of the site, if a financial viability were to be submitted.

Local Highways Authority

No objection, subject to conditions regarding highway works, parking provision and cycle shelter.

Natural England

No objection

Network Rail

No comment

Pollution Control

No objection subject to conditions for, a scheme of noise insulation, an asbestos survey for the entire building and any outbuilding, a Construction Management Plan, an intrusive site investigation and any agreed remediation works, an Air Quality Low Emission Scheme.

Severn Trent Water

No objection subject to the application of a drainage condition

Strategic Planning Policy

Support. In line with Policy HC1 and HC3 of the Site Allocation Document. Site is on the Brownfield Land Register. Support high density housing at this site.

Waste Management (Clean and Green)

No objection subject to adequate provision of waste bins (Numbers 1 to 41 will require 2x1100ltr + 1x660ltr bin, Numbers 42 to 45 will require 1x140ltr grey bin and 1x240ltr green bin) and unrestricted access to the bin stores.

West Midlands Fire Service

No objection, subject to compliance with Approved Document B, Volume 1, Dwellings of the Building regulations.

West Midlands Police

No objection, note to applicant regarding security lights, parking areas, secure mail, cycle stores, boundary fencing, locks and entry requirements.

Representations

One surrounding occupier commented on the application, indicating their support and highlighting that the development of the site would remove a dilapidated building that has a negative impact on the area.

Determining Issues

- Principle of Development
- Heritage and Archaeology
- Design, Layout and Character
- Amenity of Surrounding Occupiers
- Highways
- Ecology

- Flood Risk / Drainage
- Ground Conditions and Environment
- Planning Obligations
- Local Finance Considerations

Assessment of the Proposal

The principle of redevelopment of the site has been established through the approval of previous applications on the site. Walsall's Site Allocation Document references the application site as HO317 in policy HC1, which allocates the site for housing. The site is also recorded on the brownfield land register. In addition, the site is considered to be a highly sustainable location, close to Brownhills District Centre and associated employment and retail opportunities.

The demolition of the former public house was previously supported by committee due to its state of disrepair and its having been vacant for a long period of time. Although the building is a key gateway into Brownhills, its continued deterioration detracts from the area.

A letter of support has been received that highlights the poor state of repair of the building and the benefits redevelopment would offer in terms of improved security for surrounding neighbours. These are considered further valid reasons for supporting the redevelopment involving loss of the public house building.

On balance it is considered that the demolition of the public house and replacement with a new building of similar design to the surrounding apartments is acceptable and will allow the developer to bring forward the development which has regenerative benefits for the area.

The site is located just outside the post-medieval extent of Brownhills settlement, but within the area known as Catshill, which is potentially much earlier. The Warreners Arms public house is 19th century, however it originated as Warren Farm in the 17th century.

According to the archaeological consultation received, the pub has been rebuilt and renovated a number of times, however fabric relating to earlier phases of building may still be present in the building. The archaeological remains of any earlier buildings, outbuildings and associated structures may also be present within the wider site boundaries.

Chester Road (the A452) is suggested to be a pre-Roman trackway, and Bronze Age barrows and roman coins have also been recorded in the area of Catshill. 19th century and 20th century historic mapping suggests that the area immediately adjacent to the pub and the former McDonalds building has had little development, and so truncation which would have been caused by disturbance in this area may be minimal.

It is therefore recommended that in the first instance an archaeological desk-based should be submitted. The assessment would inform any further mitigation required as a condition of planning consent. This would likely involve trial trenching (and excavation or watching brief,

dependant on the results) to preserve by record any archaeology here, and (if necessary) Level 2 historic building recording of the pub prior to demolition. Subject to the submission of the assessment the proposal is considered acceptable from an archaeological point of view.

The layout shows an 'L' shaped built area comprising two discrete blocks facing High Street and Ogley Road, with private amenity space and parking at the rear. The position of the building respects the surrounding context, with the highest four storey component of the development at the corner to act as a landmark building. The development steps down to two storeys closer to the boundaries in line with the scale of the surrounding development.

The buildings are designed to be contemporary and modern, taking cues from the development on the opposite Ogley Road and High Street, which continues along the High Street Frontage. The proposed scheme is designed to create a landmark development that would be of a high-quality design.

A restrained pallet of materials has been proposed to re-enforce the modern design and it is proposed to use a plain orange red facing brick, white render to the staircase towers and dark grey within the balconies and dark grey windows frames. The roof will be mainly flat, with a feature raised eaves to the High Street and Ogley Road frontages. Window proportions generally have a vertical emphasis, to create a rhythm along the street and to maximise daylight into the main habitable spaces. A materials schedule has been provided as part of the design and access statement, which is acceptable and would be secured by condition.

The design of the building is considered appropriate for this prominent location on the High Street and is in line with the character of the surrounding area.

The layout of the building includes single aspect flats served off a central corridor and four main stair cores. All the apartments meet the nationally described space standards for their proposed level of occupancy, and have appropriately sized rooms that are practically configured. Apartments at the front of the building face High Street and will be subject to environmental impacts from traffic. In line with the recommendation of Pollution Control a scheme of acoustic mitigation should be submitted to ensure that the living environment is acceptable, this can be secured by condition.

Private amenity space is provided in the form of a landscaped formal garden in the rear courtyard area at a size of 573.9m², with the remainder of the space being provided by private balconies which overlook the courtyard and the public realm. While the overall provision of amenity space falls slightly short of that recommended in the designing Walsall SPD the highly sustainable location and the additional privacy afforded by balcony spaces means that the proposed development is considered to provide adequate amenity space of potential occupants. A condition to require the submission of a full detailed landscaping plan is recommended in order to ensure that the landscaped areas are appropriately developed.

A 1.8m high brick wall, with corner pillars is provided at the entrance to the parking courtyard, set back from the road frontage, to provide a clear delineation of the public and private areas.

Boundary treatments comprising 900mm black powder coated metal railings and hedge planting will be provided on the frontages which would provide a positive visual impact and outlook while ensuring sufficient defensible space between public and private spaces. The remaining perimeter of the courtyard will have a 1.8m high timber close boarded fence, where the existing boundary treatment cannot be retained.

The main rubbish and recycling store is located close to the access within the courtyard to serve apartments 1-41 and will accommodate at least two 1100ltr bins and one 660ltr bin for general waste. These bins will be retrieved from and returned to the bin storage area by the staff of Clean and Green on the agreed collection days. Numbers 42 to 45 have a smaller store to the north, which will each require one 40ltr grey bin and one 240ltr green bin. These bins will need to be presented by the resident on the agreed collection days at Ogley Road then returned to the bin store following collection. Clean and Green have supported this proposed arrangement.

The design and layout of the proposal is considered acceptable and in line with the character of the surrounding area.

The closest property to the development on High Street is a commercial premises, with residential development further along the street to the north-west, with the closest dwelling 29m from the proposed building in this direction. The proposed building in this location would be two storeys in height and would be obscured by the single storey commercial building within the intervening space. While windows on this elevation would serve habitable rooms the separation is considered sufficient to mean that there would be no harmful overlooking to these surrounding properties. The separation is in excess of that recommended by the Designing Walsall SPD.

The flank wall of property at number 9 Ogley Road is separated by 6.5m from the side elevation of the two storey component to the proposed development in this area. There are no habitable room windows proposed on this elevation. There are habitable room windows on the rear elevation of this part of the block, however which would contribute to the existing mutual overlooking to rear gardens as is already in evidence on properties along Ogley Road. The proposed separation and step down in height is considered sufficient to preserve the amenity of the surrounding neighbours in this direction.

Across Ogley Road the four storey element of the proposed development would be opposite the existing three storey flats with a separation distance of at least 26m across the highway. Further along Ogley Road the existing three storey town houses would be opposite the proposed two and three storey elements of the proposed development, with a separation of at least 25m. Separation distances in this area are considered adequate and consistent with the Designing Walsall SPD.

Given the above comments the relationship to surrounding properties is acceptable and will not cause significant or harmful overlooking or overshadowing to surrounding occupiers.

It is recommended that a condition requiring the submission of a Construction Environmental Management Plan be applied in order to protect the amenity of surrounding occupiers during the

construction phase of the development.

The private car parking courtyard is accessed directly from Ogley Road which is adopted highway. The access location is similar to the existing vehicular site access and is positioned to ensure that visibility splays can adequately be achieved. Highways have recommended that a tactile crossing is installed at the new access, the installation of dropped kerbs and other highway works as part of the development.

The application provides 45 parking spaces including two disabled spaces at the rear of the development. The Highway Officer has commented that the 100% parking provision is considered acceptable considering the tenure of the development and the sites sustainable District Centre location. It is recommended that electric vehicle charging points be installed within the parking area in order to ensure that the development is in line with the Black Country Air Quality SPD.

The parking courtyard, which contains the car and cycle parking for all the apartments, has ensured that there is no frontage car parking within the curtilage of the site. It is recommended that a condition to provide full details of the proposed cycle shelter be applied to the decision notice to ensure their provision is robust and configuration is practical. The car parking court will be block paved throughout, which will provide an attractive and robust surface. The parking court has natural surveillance and would be overlooked several of the new apartments. The use of the courtyard will be limited to cars and light vehicles, on the basis that the site can be serviced for refuse collection and by emergency vehicle from the High Street and Ogley Road frontages.

No lighting scheme has been provided for the parking area. Given the need to prevent light pollution while ensuring the parking area is well lit, a planning condition is recommended to require the submission of this detail.

In order to ensure that there is no impact on the highway during the construction phase of the development is recommended that as part of the Construction Environmental Management Plan temporary parking and turning areas are detailed as well as measures to prevent mud on the road.

The Transport Statement indicates that the trip generation associated with the proposed development is predicted to generate an insignificant number of vehicle trips (at most 1 extra vehicle trip approximately every 10 minutes) in either traditional peak period. This will have a negligible impact on the operation of the local highway network.

The Highway Authority have supported the application and indicated that the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF 2018 paragraph 109.

The site currently accommodates a two storey building with loft and cellar spaces, as well as hardstanding, grassland, dense scrub ornamental hedge and some scattered trees. The Ecological Impact Assessment assessed the hedge, grassland and hardstanding to be of negligible ecological importance. The trees were assessed to be of importance within the site only and should be replaced with native trees or shrubs as part of the landscaping of the site, as well as using climbing plants which can provide shelter and foraging opportunities for wildlife. It is therefore recommended that a detailed landscaping plan be submitted to ensure that these measures are implemented.

The dense scrub was assessed to be of importance due to its ability to support nesting birds, particularly house sparrow. Clearance of this area should be undertaken out of bird nesting season or supervised by an ecologist. Three bird boxes are therefore recommended on the new buildings, positioned as far away from one another as possible as these birds are highly territorial. Conditions can be attached to the consent to ensure that clearance is controlled and bird boxes are included with the scheme.

The building has the potential to support bats, however no bats were observed during a preliminary bat roost assessment or emergence/re-entry bat survey. Due to the lack of evidence of bats it is not necessary to ensure precautions are taken to mitigate for bat disturbance during the demolition of the building and site clearance. To improve opportunities for roosting bat and to ensure that the development achieves a net biodiversity gain it is recommended that three brick bat boxes be installed on the buildings, which can be secured by the application of a suitably worded condition.

The Ecological Impact Assessment concluded that with the mitigation and enhancement measures described the development could deliver a net biodiversity gain. It is therefore considered that the proposal is acceptable from an ecological point of view with the application of the conditions recommended.

A drainage strategy has been submitted with the application which indicates that Severn Trent Water have indicated that there is sufficient capacity in the sewer system to accommodate the proposed development. Severn Trent have not objected to the application and have recommended the application of a drainage condition to secure the detailed design of the drainage proposals.

The application site is in Flood Zone 1. The development site has been previously developed and includes a large area of hardstanding and impermeable area covering 1824m², the proposed development would create an impermeable area of 2200m², creating a 21% increase. The drainage strategy recommends that in order to mitigate for this the parking area is covered with permeable paving at the lower level of the site. It is also recommended that finished floor levels of all residential units be set above 150mm from the surrounding ground levels to mitigate for periods of exceedance. Conditions can be applied in order to secure this mitigation takes place.

A Phase I Desk Study Report was carried out in order to assess the potential risk to human health and environmental receptors from historical uses of the site as a result of contamination. While the conclusion was that the risk of contamination was low, the report found that a watching brief should be imposed should any works be carried out on site. Pollution control have recommended that a condition that an intrusive site investigation be carried out in order to further clarify the situation on the site.

The submitted asbestos survey report indicated that it was not possible to access much of the building and therefore findings on the presence of asbestos were inconclusive. It is therefore necessary to apply a condition to ensure that a full survey is undertaken and any asbestos properly removed prior to the demolition of the buildings on the site.

In order to ensure that the proposal meets the requirements of the Black Country Air Quality SPD it is recommended that a condition be attached to the permission in order to require the installation of electric vehicle charging points, low NOx emissions boilers

Policy HOU3 of the BCCS, and the Affordable housing SPD requires provision of 25% affordable housing on qualifying sites of 15 units or over. In accordance with policies GP3 and LC1 of the UDP, policy DEL1 of the BCCS and Urban Open Space SPD the proposal triggers the need for urban open space.

The developer has submitted a Viability Assessment Report which concludes that the development would not be viable if any s106 contributions were sought. The proposal is to provide 100% affordable housing at 100% affordable rent. The Affordable Housing SPD indicates that 25% social rent housing should be provided.

The Viability Assessment has been independently corroborated with a recommendation that s106 contributions would not be appropriate if the development is to go ahead. It is therefore recommended that planning obligations be waived in this instance.

Section 143 of the Localism Act requires the local planning authority to have regard to 'local finance considerations' when determining planning applications. In Walsall at the present time this means there is need to take account of New Homes Bonus monies that might be received as a result of the construction of new housing.

This application proposes 45 new homes.

The Government has indicated that, for 2019-20, it will award approximately £1,000 per dwelling per year, plus a further £350 for each affordable dwelling, for each net additional dwelling provided. The payment is made each year for a period of 4 years from completion of the dwelling. In 2019-20 the total payments, taking account of completions over the last 4 years, are expected

to amount to £2,911,601.

The weight that should be given to this, including in relation to other issues, is a matter for the decision-maker.

Conclusions and Reasons for Decision

The site is allocated in the SAD for residential development (Site HO317) it is considered that the proposed development would be laid out to respect and reflect the urban character of the area. The proposed buildings would be varied and interesting in appearance but with a strong thematic character and cohesive use of materials. There would be elements of landscaping within the scheme which would break up the parking and provide interest. The apartment blocks respect the scale of the area and has been sensitively designed, with an active frontage along High Street and Ogley Road.

The proposed scheme would have an acceptable impact upon the amenity of existing neighbouring residents with the separation distances, as set out within the Designing Walsall largely respected. There would be no overlooking or overbearing impact created. Planning conditions could mitigate against any construction impact or ongoing impact after the scheme has been constructed with regards to air quality or noise. The submitted technical information has confirmed that the additional highway impact would be acceptable.

The amenity of future residents is considered, on balance, to be acceptable. The urban form provides for a positive high-quality living environment, while internal spaces have been efficiently designed to provide good amenity. Each apartment has access to an acceptable level of private amenity space in line with the requirements set out in Designing Walsall SPD.

Technical consultees have confirmed that with the application of suitably worded planning conditions that the scheme would be acceptable with regards to air quality, ground conditions, ecology, and drainage and flood risk.

The access and parking arrangements for the site are considered appropriate. Sufficient parking has been proposed, and provision has been made to maximise sustainable transport opportunities for future residents.

With regards to planning obligations, a viability assessment has been submitted showing that only no contributions are feasible. The viability assessment has been assessed by Lambert Smith Hampton on behalf of the Local Planning Authority and the reasoning and recommendations found to be sound.

As such, the development is considered to meet the aims and objectives of the National Planning Policy Framework, Policies CSP4, CSP5, HOU1, HOU2, HOU3, TRAN2, TRAN4, TRAN5, ENV1, ENV2, ENV3, ENV5, ENV7 and ENV8 of the Black Country Core Strategy and saved policies 3.6 to 3.9, 3.11, 3.13 – 3.15, GP2, GP3, GP5, GP6, ENV10, ENV11, ENV13, ENV14, ENV16, ENV17, ENV18, ENV23, ENV25, ENV26, ENV27, EV32, ENV33, H4, T1, T6, T7, T8, T9, T10, T11 and T13 of Walsall Unitary Development Plan, policies and Supplementary Planning

Documents Designing Walsall, Conserving Walsall's Natural Environment, Open Space, Sport and Recreation, Affordable Housing and Air Quality.

Taking the above factors into account it is considered that the application should be recommended for approval.

Positive and Proactive Working with the Applicant

Approve

Officers have confirmed to the applicant's agent that the submitted details are acceptable and no further changes have been requested.

Recommendation

1. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:
 - No new material considerations being received within the consultation period;
 - The amendment and finalising of conditions;
 - No further comments from a statutory consultee raising material planning considerations not previously addressed;

Conditions and Reasons

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: To ensure the satisfactory commencement of the development in accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans details and documents:
 - Site Location Plan, Drawing No 02 Rev. /, submitted 20-10-20
 - Site Plan and Floor Plans, Drawing No 01 Rev. I, submitted 20-10-20
 - Site Plan 1:200, Drawing No 01 Rev. E, submitted 10-03-21
 - Ground Floor Plan, Drawing No 11 Rev. B, submitted 10-03-21
 - First Floor Plan, Drawing No 12 Rev. B, submitted 10-03-21
 - Second Floor Plan, Drawing No 13 Rev. /, submitted 20-10-20
 - Third Floor and Roof Plan, Drawing No 14 Rev. /, submitted 20-10-20
 - Street Elevations, Drawing No 08 Rev. C, submitted 20-10-20
 - Rear and Side Elevations, Drawing No 15 Rev. B, submitted 10-03-21
 - Perspective 1, Drawing No 04 Rev. B, submitted 20-10-20
 - Perspective 2, Drawing No 05 Rev. C, submitted 20-10-20
 - Perspective 3, Drawing No 06 Rev. B, submitted 20-10-20
 - Perspective 4, Drawing No 07 Rev. B, submitted 20-10-20
 - Design and Access Statement prepared by Oakley Architects ref. 202015 dated Oct 2020
 - Planning Statement, prepared by Ripleys ref. WH/20-00943 dated Oct 2020
 - Asbestos Report, prepared by TES Environmental Services Ltd. ref TES.2020-094 dated 16-08-2020

- Drainage Strategy, prepared by Banners Gate ref. 20087 Issue 1 dated 30-09-2020
- Ecological Impact Assessment, prepared by Tyler Grange ref. 13326_R01a dated 09-10-21
- Environmental Noise Assessment, prepared by Sharps Redmore ref. 2019688 dated 09-10-20
- Phase I Desk Study, prepared by Geo² Remediation Limited ref. 19/0924.1.1 dated July 2019
- Transport Statement, prepared by Integrated Transport Planning Ltd.ref. 3298 issue V1-0, dated 12-10-20

Reason: To ensure that the development undertaken under this permission shall not be otherwise than in accordance with the terms of the application on the basis of which planning permission is granted, (except in so far as other conditions may so require).

3. a. No above ground development shall commence until a scheme of noise insulation for the residential units has been submitted to and approved in writing by the Local Planning Authority. The insulation provided shall ensure that the noise levels within the residential units does not exceed the design criteria as set out in the Environmental Noise Assessment Report Ref. 2019688, prepared by Sharps Redmore, dated 9-10-20 as follows:
 35-40 dB LAeq for living rooms (07.00 hours - 23.00 hours);
 30-35 dB LAeq for bedrooms (23.00 hours – 07.00 hours);
 45 dB L_{Amax} for individual noise events in bedrooms (23.00 hours – 07.00 hours).
 b. Prior to occupation of the development hereby permitted the insulation shall be installed and shall be retained for the lifetime of the development.

Reason: In order to protect the amenities of the future occupiers of the premises.in compliance with saved Policies GP2 and ENV32 of the UDP.

4. a. Prior to commencement of the development hereby permitted an intrusive pre-demolition asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers shall be submitted to and approved by the Local Planning Authority. The scheme shall:
 - i. be written by a suitably qualified person
 - ii. demonstrably identify potential sources of asbestos contamination and
 - iii. detail removal.
 b. Prior to occupation of the development hereby permitted a written Validation Report shall be submitted to and agreed in writing with the Local Planning Authority.

 c. All contaminated material to be removed from the site shall be removed by a licensed waste carrier to a facility that is licensed to accept it.

Reason: To ensure any potentially hazardous asbestos associated with the buildings or their previous use in accordance with saved policies GP2 and ENV14 of Walsall's Unitary Development Plan.

5. a. Prior to the commencement of development hereby permitted a Construction Environmental Management Statement shall be submitted in writing to and approved in writing by the Local Planning Authority. The Construction Environmental Management Statement shall include:
 - i. Construction working hours
 - ii. Parking and turning facilities for vehicles of site operatives and visitors
 - iii. Loading and unloading of materials

- iv. Storage of plant and materials used in constructing the development
- v. A scheme for recycling/disposing of waste resulting from construction works
- vi. Temporary porta cabins and welfare facilities for site operatives
- vii. Site security arrangements including hoardings
- viii. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway
- ix. Measures to prevent flying debris
- x. Dust mitigation measures
- xi. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper)
- xii. Noise and vibration mitigation measures * see note CEMP

b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved Construction Environmental Management Statement and the approved Construction Environmental Management Statement shall be maintained throughout the construction period.

Reason: To ensure that no works commence on the site until a scheme is in place to safeguard the amenities of the area and the occupiers of the neighbouring properties and to control the environmental impacts of the development in accordance with saved policies GP2 and ENV32 of Walsall's Unitary Development Plan.

6. a. Prior to commencement of the development hereby permitted details of a programme of site investigations and archaeological work, including any mitigation measures, shall be submitted in writing to and approved in writing by the Local Planning Authority.

b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details.

Reason: In order to secure an adequate record of the site's archaeology in accordance with saved policy ENV25 of Walsall's Unitary Development Plan.

7. a. Prior to the commencement of built development as part of the development hereby permitted a site investigation, ground contamination survey and assessment of ground gas having regard to current best practice shall be undertaken. (see Note for Applicant CL1)

b. Prior to the commencement of built development as part of the development hereby permitted a copy of the findings of the site investigation, ground contamination survey and ground gas assessment, together with an assessment of identified and/or potential hazards arising from any land contamination and/or ground gas shall be forwarded to the Local Planning Authority. (See Note for Applicant CL2)

c. Prior to the commencement of built development as part of the development hereby permitted a 'Remediation Statement' setting out details of remedial measures to deal with the identified and potential hazards of any land contamination and/or ground gas present on the site and a timetable for their implementation shall be submitted in writing to and agreed in writing by the Local Planning Authority. (See Note for Applicant CL2)

d. The remedial measures as set out in the 'Remediation Statement' required by part c of this condition shall be implemented in accordance with the agreed timetable.

e. If during the undertaking of the approved remedial works or during the construction of the approved development unexpected ground contamination not identified by the site investigation required by part a. of this condition is encountered, development shall cease until the 'Remediation Statement' required by part c. of this condition has been amended to address any additional remedial or mitigation works required and has been submitted in writing to and agreed in writing by the Local Planning Authority.

f. A validation report setting out full confirming the details of the remedial measures implemented and cross referencing those measures to the approved Remediation Statement together with substantiating information and justification of any changes from the agreed remedial arrangements shall be submitted in writing to and agreed in writing by the Local Planning Authority prior to the development being brought into use. (see Note for Applicant CL3)

g. The development shall not be carried out otherwise than in accordance with the approved Remediation Statement.

Reason: To ensure safe development of the site and to protect human health and the environment in accordance with saved policies GP2 and ENV14 of Walsall's Unitary Development Plan and to meet the requirements of NPPF 170 and 178.

8. a. Prior to first occupation of the development hereby permitted a brick bat box shall be incorporated into the proposed elevation of each of the three proposed apartment buildings and shall thereafter be retained as such. The bat box shall be located at a point not lower than 2.5m from ground level and shall not be positioned directly above any doors or windows.

b. The entrance to the brick bat boxes shall be kept clear from obstructions at all times.

Reason: To conserve local bat populations and to comply with NPPF11, BCCS Policy ENV1, saved UDP Policy ENV23 & policies NE1 to NE6 of the Natural Environment SPD.

9. a. Prior to first occupation of the development hereby permitted at least three bird boxes shall be provided on the site shall thereafter be retained as such. The bird box shall be located at a point not lower than 2.5m from ground level and shall not be positioned directly above any doors or windows and shall be spaced as far apart from one another as possible.

b. The entrance to the bird boxes shall be kept clear from obstructions at all times.

Reason: To conserve local bat populations and to comply with NPPF11, BCCS Policy ENV1, saved UDP Policy ENV23 & policies NE1 to NE6 of the Natural Environment SPD.

10. a. Prior to first occupation of the development hereby permitted details of an Air Quality Low Emission Scheme to install electric-vehicle charging points and Ultra-Low NOx boilers shall be submitted in writing to and agreed in writing by the Local Planning Authority.

b. Prior to first occupation of the development the approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra-low emission vehicles in accordance with Policies ENV8 and DEL1 of the Black Country Core Strategy.

11. a. Prior to commencement of the development hereby permitted details of the following works shall be submitted in writing to and approved in writing by the Local Planning Authority.
- i. The refurbishment of the existing bellmouth access point on Ogley Road including the installation of a tactile pedestrian crossing across the access.
 - ii. The link footpaths to the building entrances across the highway verge on Ogley Road.
 - iii. The removal and reinstatement back to full kerb height of the existing dropped kerb access on High Street made redundant as a result of the development.
 - iv. The reinstatement of the public footway following the removal of the steps to the former public house entrances on High Street and cellar light/hatch on Ogley Road.
 - v. The upgrade of the exiting pedestrian crossing point across the Ogley Road junction with High Street to include tactile paving
- b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details.
- c. The development hereby permitted shall not be occupied until the highway works have been constructed in accordance with the approved details.

Reason: In the interest of highway and pedestrian safety in accordance with the saved UDP policies T7 and T13.

12. a. Prior to first occupation of the development hereby permitted details of landscaping including both hard and soft landscape works and earthworks shall be submitted in writing to and approved in writing by the Local Planning Authority.
- b. Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.
- c. If within a period of 5 years from the date of the planting of any trees shrubs or plants, that tree shrub or plant, or any tree shrub or plant planted in replacement for it, is removed, uprooted, destroyed or dies and or becomes seriously damaged or diseased in that period another tree shrub or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: In the interests of the visual amenities of the area in accordance with saved policies ENV17 and ENV33 of Walsall's Unitary Development Plan.

13. a. Prior to the first occupation of any part of the development hereby permitted, all parking and vehicle manoeuvring areas shall be fully consolidated with permeable paving or hard surfaced and drained so that surface water run-off from these areas does not discharge onto the highway or into any highway drain, together with the clear demarcation of all parking bays.
- b. These areas shall thereafter be retained and used for no other purpose.

Reason: To ensure the safe and satisfactory operation of the development and in accordance

with UDP policy GP2, T7 and T13.

14. a. Prior to the first occupation of any part of the development hereby permitted, full details of the proposed cycle shelters, which shall be covered and illuminated shall be submitted to and approved in writing by the Local Planning Authority and the facility shall be fully implemented in accordance with the approved details.

b. The cycle shelter facilities shall thereafter be retained and used for no other purpose.

Reason: To encourage sustainable modes of travel and in accordance with UDP policy T13 and Black Country Core Strategy TRAN4.

15. a. Notwithstanding the information submitted and prior to the commencement of development hereby permitted drainage plans for the discharge of surface water and disposal of foul sewerage and all existing and proposed underground services and sewers shall be submitted in writing to and approved in writing by the Local Planning Authority.

b. The development shall not be carried out otherwise than in accordance with the approved details and the approved drainage shall thereafter be retained as installed for the lifetime of the development.

c. The development hereby permitted shall not be occupied until the approved drainage has been installed in accordance with the approved plans.

Reason: To ensure the development is provided with a satisfactory means of drainage and/or to reduce the risk of creating or exacerbating a flooding problem and/or to minimise the risk of pollution and/or to safeguard water quality from fuels, oils and other chemicals from the site in accordance with NPPF10, BCCS Policy ENV5 and saved Walsall's Unitary Development Plan policy GP2 and ENV40.

16. a. The development shall not be carried out otherwise than in accordance with the materials detailed and the approved on page 15-16 of the Design and Access Statement prepared by Oakley Architects ref. 202015 dated Oct 2020

b. The approved materials shall thereafter be retained for the lifetime of the development.

Reason: To ensure the satisfactory appearance of the development and to comply with saved policies GP2 and ENV32 Walsall's Unitary Development Plan.

17. a. No external lighting shall be installed on the site unless details of the lighting including the intensity of illumination and predicted lighting contours have first been submitted in writing to and approved in writing by the Local Planning Authority.

b. No external lighting shall be installed on the site otherwise than in accordance with the approved details.

Reason: In the interests of the visual amenities of the area in accordance with saved policies GP2, ENV11 and ENV32 of Walsall's Unitary Development Plan.

18. The finished floor levels of any part of a dwelling shall not be lower than 150mm above the

height of the adjacent natural ground level at any time.

Reason: to reduce the possibility of damage from flooding in accordance with to comply with Walsall's Unitary Development Plan saved policies GP2 and ENV40, BCCS policy ENV5 and Site Allocation Document Policy EN3.

19. Permeable Paving to the parking area should be installed in line with the recommendations of the Drainage Strategy prepared by Banners Gate ref. 20087 Issue 1 dated 30-09-2020.

Reason: to reduce the possibility of damage from flooding in accordance with to comply with Walsall's Unitary Development Plan saved policies GP2 and ENV40, BCCS policy ENV5 and Site Allocation Document Policy EN3.

20. Site clearance works shall be undertaken outside the bird nesting season, or if not possible the area should be checked by an ecologist prior to clearance. The bird nesting season extends between mid-February and September inclusive but is weather dependant and nesting may take place outside this period. If nesting birds are discovered, clearance works should be delayed until the young have fledged.

Reason: To conserve local bird populations and to comply with NPPF11, BCCS Policy ENV1, saved UDP Policy ENV23 & policies NE1 to NE6 of the Natural Environment SPD.

Notes for Applicant

CL1

Ground investigation surveys should have regard to current 'Best Practice' and the advice and guidance contained in the National Planning Policy Framework 2018; British Standard BS10175: 2011 +A2:2017 'Investigation of potentially contaminated sites – Code of Practice'; British Standard BS5930: 1999 'Code of practice for site investigations'; Construction Industry Research and Information Association 'Assessing risks posed by hazardous ground gasses to buildings (Revised)' (CIRIA C665); Land contamination risk management (LCRM) or any relevant successors of such guidance. You are strongly advised to consult with the Local Planning Authority on the construction, location and potential retention of any boreholes installed for the purposes of ground gas and or groundwater before installation of same.

CL2

When making assessments of any contaminants identified as being present upon and within the land considering their potential to affect the proposed land use and deciding appropriate remediation targets regard should be had to the advice given in CLR 11 'Model Procedures for the Management of Land Contamination', The Contaminated Land Exposure Assessment (CLEA) model (Latest Version), Science Report – SC050021/SR3 'Updated technical background to the CLEA model' and Science Report – SC050021/SR2 'Human health toxicological assessment of contaminants in soil' or any relevant successors of such guidance. This list is not exhaustive. Assessment should also be made of the potential for contaminants contained in, on or under the land to impact upon ground water. Advice on this aspect can be obtained from the Environment Agency.

CL3

Validation reports will need to contain details of the 'as installed' remediation or mitigation works agreed with the Local Planning Authority. For example, photographs of earth works, capping systems, ground gas membranes, and structure details should be provided. Copies of laboratory analysis reports for imported 'clean cover' materials, manufacturer's specification sheets for any materials or systems employed together with certification of their successful installation should also be submitted. Where appropriate, records and results of any post remediation ground gas testing should be included in validation reports. This note is not prescriptive and any validation report must be relevant to specific remedial measures agreed with the Local Planning Authority.

CEMP

the level of structure-borne vibration transmitted to occupied buildings from the stabilisation/piling works shall not exceed the specified criteria for '*low probability of adverse comment*', as prescribed within British Standard BS6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings – vibration sources other than blasting' as may be amended or replaced from time to time

Note to Applicant Air Quality SPD

The Air Quality SPD (Section 5.6) advises the following about Electric Vehicle Charging Points:

The electric vehicle charging point provision for residential premises is a charging point per residential premise or Units with unallocated parking e.g. apartments – 1 charging point per 10 spaces, complying with EN 62196-2 (J1772) Type 2, Mode 3, 7 pin, 32 amp, 7kw. Wherever possible the power supply and charging point should both be phase 3 compatible and be located near the parking area for each dwelling. Where only single-phase power supply is available the charging unit should be capable of handling 3-phase power if supply is subsequently upgraded. The charging unit is to be supplied by its own independent radial circuit. Further information on Electric Vehicle Charging Points and the necessity to provide these can be found in the following:

- West Midlands Low Emissions Towns and Cities Programme, Good Practice - Air Quality Planning Guidance,
- Black Country Air Quality Supplementary Planning Document (SPD),
- General Procurement Guidance for Electric Vehicle Charging Points, UK Electric Vehicle Supply Equipment Association (April 2015),
- Institute of Engineering and Technology (IET) Code of Practice for Electric Vehicle Charging Equipment Installation.

Ultra-low NOx boilers discharge NOx at or below 40mg/kWh. The latest models are futureproofed to the European Union's Energy-related Products Directive 2018 NOx levels. At the same time, they meet the EU standard EN15502 Pt 1 2015 Class 6 for NOx, and may be eligible for maximum BREEAM credits, helping contribute to a higher environmental building rating.

West Midlands Police

The applicant to refer to crime prevention and home security advice contained within SBD New Homes. Please see:

https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NEW_version_2.pdf

Use of gates can be considered to restrict access to rear parking. (SBD Homes 2019 page 22 16.1 – 16.11). If required cycle stores, approved products, are recommended (SBD Homes 2019 page 68, 56). These located in a clearly visible area.

Secure mail is recommended without providing unnecessary access to private areas. (SBD Homes 2019 page 58 2b. 38). SBD strongly recommends where possible, mail delivery via a 'secure external letter box' Standard TS009 (DHF TS009) (SBD Homes 2019 page 58 38.3). 'Through the wall mail delivery into secure internal letter boxes' can be considered Standard TS008 (DHF TS008) (SBD Homes 2019 page 59 38.4-5).

Lighting must be at the levels recommended by BS 5489-1:2013. External LED lights with daylight sensors to the external walls, by entrances and lighting to the parking area. This to provide security for residents entering and leaving. (SBD Homes 2019 page 63 49.1). I would recommend 24 hour lighting (switched using a photoelectric cell) to internal communal areas. Providing security to residents as they make their way within the building. (SBD Homes 2019 page 63 49.2.).

Consider cctv multiplex cctv system for all the public areas in particular facial view on all entrances. A height to 120% of the screen is required for identification. (SBD Homes 2019 page 47 29.1 – 30.7). A capture of all persons and vehicles particularly entering and leaving. Alarm and cctv installers should be approved by NSI, SSAIB or both please see <https://www.nsi.org.uk/> and <https://ssaib.org/>

Card entry system or similar. With correct management and maintenance this should provide security. Access control to the building see SBD Homes 2019 page 41, 27. To allow residents entry, to their floor area and apartment. Dwelling flats entrance door-sets (SBD Homes 2019 page 29, 21.1-8). PAS 24: 2016 standard doors for houses and apartments. Communal shared entrances doors and visitor door entry to standards LPS 1175 or STS 202.

Please see: <https://www.securedbydesign.com/guidance/standards-explained>

Highway Authority

1. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site of any works pertaining thereto.
2. The applicant will be required to obtain the necessary Road Opening Permit or enter into an agreement under S278 of the Highways Act 1980 with the Highway Authority for the works within the public highway. For further information please contact the Highways Development Control Team at Stephen.Pittaway@walsall.gov.uk

Severn Trent

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly

over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

West Midlands Fire Service

Requirement B5: Access and facilities for the fire service

These sections deal with the following requirement from Part B of Schedule 1 to the Building Regulations 2010.

Requirement

Limits on application. Access and facilities for the fire service B5. (1) The building shall be designed and constructed so as to provide reasonable facilities to assist fire fighters in the protection of life. (2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.

Intention

Provisions covering access and facilities for the fire service are to safeguard the health and safety of people in and around the building. Their extent depends on the size and use of the building. Most firefighting is carried out within the building. In the Secretary of State's view, requirement B5 is met by achieving all of the following.

- a. External access enabling fire appliances to be used near the building.
- b. Access into and within the building for firefighting personnel to both:
 - i. search for and rescue people
 - ii. fight fire
- c. Provision for internal fire facilities for firefighters to complete their tasks.
- d. Ventilation of heat and smoke from a fire in a basement.

If an alternative approach is taken to providing the means of escape, outside the scope of this approved document, additional provisions for firefighting access may be required. Where deviating from the general guidance, it is advisable to seek advice from the fire and rescue service as early as possible (even if there is no statutory duty to consult).

Section 13: Vehicle access

Provision and design of access routes and hard-standings

13.1 For dwelling-houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling-house.

13.2 For flats, either of the following provisions should be made.

- a. Provide access for a pumping appliance to within 45m of all points inside each flat of a block, measured along the route of the hose.
- b. Provide fire mains in accordance with paragraphs 13.5 and 13.6.

13.3 Access routes and hard-standings should comply with the guidance in Table 13.1.

13.4 Dead-end access routes longer than 20m require turning facilities, as in Diagram 13.1. Turning facilities should comply with the guidance in Table 13.1.

Blocks of flats fitted with fire mains

13.5 For buildings fitted with **dry fire mains**, both of the following apply.

- a. Access should be provided for a pumping appliance to within 18m of each fire main inlet

connection point. Inlets should be on the face of the building.

b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 14.10.

13.6 For buildings fitted with **wet fire mains**, access for a pumping appliance should comply with both of the following.

a. Within 18m, and within sight, of an entrance giving access to the fire main.

b. Within sight of the inlet to replenish the suction tank for the fire main in an emergency

Overall

Access routes should have a minimum width of 3.7m between kerbs, noting that WMFS appliances require a minimum height clearance of 4.1m and a minimum carrying capacity of 15 tonnes (ADB Vol 1, Table 13.1).

Section 14: Fire mains and hydrants – flats

Provision of fire mains

14.2 Buildings with firefighting shafts should have fire mains provided in both of the following.

a. The firefighting stairs.

b. Where necessary, in protected stairways.

The criteria for providing firefighting shafts and fire mains are given in Section 15.

14.3 Buildings without firefighting shafts should be provided with fire mains where fire service vehicle access is not provided in accordance with paragraph 13.2(a). In these cases, the fire mains should be located within the protected stairway enclosure, with a maximum hose distance of 45m from the fire main outlet to the furthest point inside each flat, measured on a route suitable for laying a hose.

Design and construction of fire mains

14.4 The outlets from fire mains should be located within the protected stairway enclosure (see Diagram 15.1).

14.5 Guidance on the design and construction of fire mains is given in BS 9990.

14.6 Buildings with a storey more than 50m above fire service vehicle access level should be provided with wet fire mains. In all other buildings where fire mains are provided, either wet or dry fire mains are suitable.

14.7 Fire service vehicle access to fire mains should be provided as described in paragraphs 13.5 and 13.6.

Provision of private hydrants

14.8 A building requires additional fire hydrants if both of the following apply.

a. It has a compartment with an area of more than 280m².

b. It is being erected more than 100m from an existing fire hydrant.

14.9 If additional hydrants are required, these should be provided in accordance with the following.

a. For buildings provided with fire mains – within 90m of dry fire main inlets.

b. For buildings not provided with fire mains – hydrants should be both of the following.

i. Within 90m of an entrance to the building.

ii. A maximum of 90m apart.

14.10 Each fire hydrant should be clearly indicated by a plate, fixed nearby in a conspicuous position, in accordance with BS 3251.

14.11 Guidance on aspects of the provision and siting of private fire hydrants is given in BS 9990.

Water supplies for firefighting should be in accordance with ADB Vol 2, Sec 16 and “National Guidance Document on the Provision for Fire Fighting” published by Local Government Association and WaterUK:

<https://www.water.org.uk/wp-content/uploads/2018/11/national-guidance-document-on-water-for-ffg-final.pdf>

For further information please contact the WMFS Water Office at the address given above or by email on Water.Officer@wmfs.net

Section 15: Access to buildings for firefighting personnel – flats Provision of firefighting shafts

15.1 In low rise buildings without deep basements, access for firefighting personnel is typically achieved by providing measures for fire service vehicle access in Section 13 and means of escape.

15.2 A building with a storey more than 18m above the fire and rescue service vehicle access level should have one or more firefighting shafts, each containing a firefighting lift (Diagram 15.1). The number and location of firefighting shafts should comply with paragraphs 15.4 to 15.7. Firefighting shafts are not required to serve a basement that is not large or deep enough to need one (see paragraph 15.3 and Diagram 15.2).

As per the May 2020 amendment to this guidance – Wayfinding signage for the fire service

15.13 To assist the fire service to identify each floor in a block of flats with a top storey more than 11m above ground level (see Diagram D6), floor identification signs and flat indicator signs should be provided.

15.14 The floor identification signs should meet all of the following conditions.

- a. The signs should be located on every landing of a protected stairway and every protected corridor/lobby (or open access balcony) into which a firefighting lift opens.
- b. The text should be in sans serif typeface with a letter height of at least 50mm. The height of the numeral that designates the floor number should be at least 75mm.
- c. The signs should be visible from the top step of a firefighting stair and, where possible, from inside a firefighting lift when the lift car doors open.
- d. The signs should be mounted between 1.7m and 2m above floor level and, as far as practicable, all the signs should be mounted at the same height.
- e. The text should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch.

15.15 The wording used on each floor identification sign should take the form Floor X, with X designating the number of the storey, as intended for reference by residents. The floor number designations should meet all of the following conditions.

- a. The floor closest to the mean ground level (see Diagram D4) should be designated as either Floor 0 or Ground Floor.
- b. Each floor above the ground floor should be numbered sequentially beginning with Floor 1.
- c. A lower ground floor should be designated as either Floor –1 or Lower Ground Floor.
- d. Each floor below the ground floor should be numbered sequentially beginning with Floor –1 or Basement 1.

15.16 All floor identification signs should be supplemented by flat indicator signs, which provide information relating to the flats accessed on each storey. The flat indicator signs should meet all of the following conditions.

- a. The signs should be sited immediately below the floor identification signs, such that the top edge of the sign is no more than 50mm below the bottom edge of the floor identification sign.
- b. The wording should take the form Flats X–Y, with the lowest flat number first.
- c. The text should be in sans serif typeface with a letter height of at least half that of the floor indicator sign.
- d. The wording should be supplemented by arrows when flats are in more than one direction.
- e. The text and arrows should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch. NOTE: In the case of multi-storey flats with two or more entrances, the flat number should only be indicated on the normal access storey.

Sprinklers

Where sprinklers in accordance with BS 9251:2014 or BS EN 12845:2015 are fitted throughout a house or block of flats:

- a) the distance between a fire appliance and any point within the house (in houses having no floor more than 4.5m above ground level) may be up to 90m:
- b) the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75m (in houses or flats having one floor more than 4.5m above ground level) (BS 9991:2015 50.1.2).

As per the May 2020 amendment to this guidance – Section 7: Compartmentation/sprinklers – flats Page 59

7.4 Blocks of flats with a top storey more than 11m above ground level (see Diagram D6) should be

fitted with a sprinkler system throughout the building in accordance with Appendix E. NOTE: Sprinklers should be provided within the individual flats, they do not need to be provided in the common areas such as stairs, corridors or landings when these areas are fire sterile.

The approval of Building Control will be required to Part B of the Building Regulations 2010 Early liaison should be held with this Authority in relation to fixed firefighting facilities, early fire suppression and access (ADB Vol 2, Section 7) The external access provisions for a building should be planned to complement the internal access requirements for a fire attack plan. (CIBSE Guide E, Fire Safety Engineering 2010, p. 13-14)

END OF OFFICERS REPORT