



Planning Committee

Report of Head of Planning, Engineering and Transportation on 07-Jun-2018

Plans List Item Number: 12.

Reason for bringing to committee: Significant Community Interest

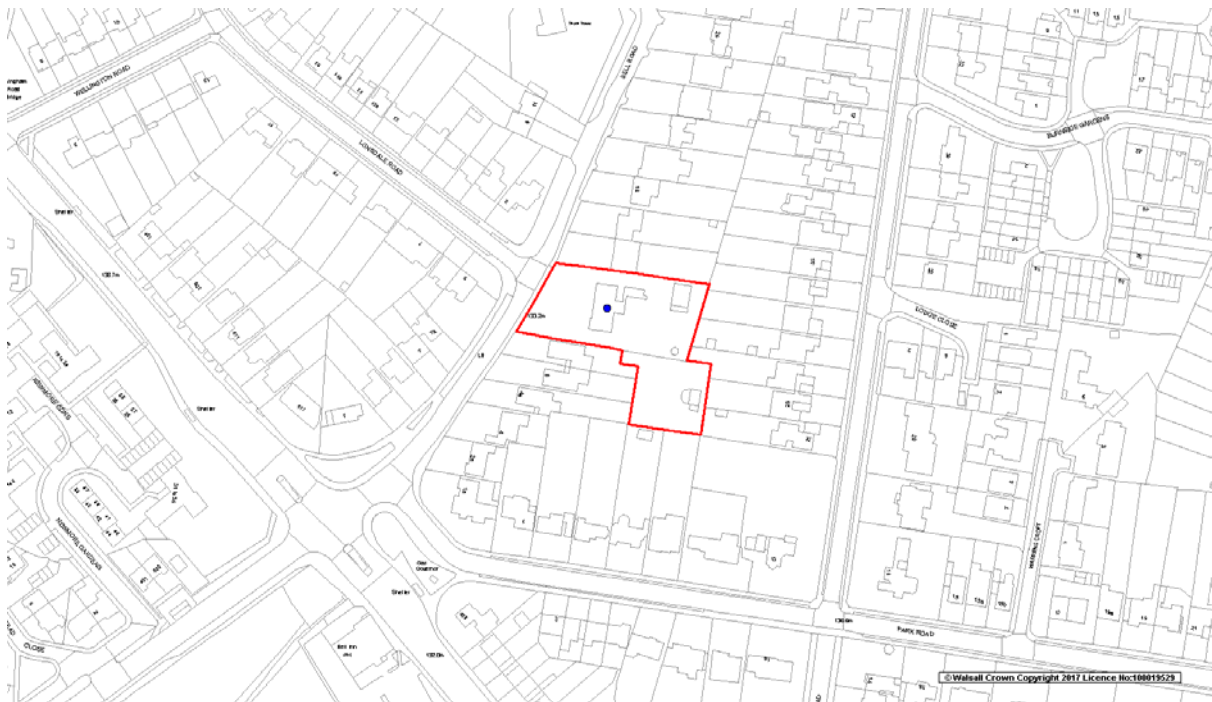
Location: 10, BELL ROAD, WALSALL, WS5 3JW

Proposal: DEMOLITION OF EXISTING DWELLING HOUSE AND CONSTRUCTION OF THREE NEW DWELLINGS.

Application Number: 17/1531
Applicant: Mr Mandeep Kang
Agent: Mr Philip Taylor
Application Type: Full Application

Case Officer: Karon Hulse
Ward: Paddock
Expired Date: 10-Jan-2018
Time Extension Expiry:

Recommendation Summary: Grant Subject to Conditions



Proposal

This application seeks to replace the existing bungalow at no. 10 Bell Road, Walsall with three detached, two storey houses.

The design of the three replacement houses is the same with each one being staggered along a notional building line created between number 8 and 12 Bell Road.

Each house will consist of two and half storeys with two storey eaves each with a single storey front and rear wing. The key measurements of each house are as follows:

- Main body each house will measure 8.45mts to the ridge (which will run from the front to the back with hipped roof front and back)
- 4.85mts to the eaves
- 15.3mt deep
- 9.8mts wide
- Front single storey wing measuring 3.6mts wide by 6.5mts long
- Rear wing measuring 3.6mts wide by 4.6mts long
- 2.3mts to the eaves and
- 3.8mts to the ridge (hipped roof to the front and rear)
- Includes a chimney on each
- A dormer window on both the front and rear elevation within the roof space to provide a double bedroom with separate bathroom
- Providing a single integrated garage with the front wing
- Skylights would be used in the roof space of the ground floor rear wing and in the roof space above the stairwell.
- The height of the eaves of the proposed houses would lie between the eaves height of no 12 and below the ridge of no 8 Bell Road.
- Three bedrooms, family bathroom and two en-suites at the first floor.
- Large kitchen/dining area, 5th bedroom with en-suite, large entrance hallway and separate living room at ground floor of each house.
- Plot 1 rear garden measures 28.5mts long by 11.5mts wide
- Plot 2 rear garden measure 33mts long by 10.5mts wide
- Plot 3 rear garden measures 34mts long and between 9.9mts and 15.9mts wide plus the addition of the former paddock area which will be utilised as additional garden land and measures 30mts deep by 30mts wide.

The application is accompanied by the following documents:

- Bat and bird survey received 15/11/17
- Design and Access statement received 15/11/17
- Arboricultural Implication Assessment received 15/11/17
- Topographical survey (9514) received 15/11/17

Site and Surroundings

The site lies in a residential area, in the south of Walsall. The application site lies on the east side of Bell Road close to its junction with Birmingham Road where there is good access to the amenities of Walsall town centre and Birmingham city centre.

The application site sits within a row of houses consisting of two storeys, bungalows, detached and semi-detached houses with contrasting designs including hipped roofs, front gable and dormers, there is no uniformity and the existing bungalow is unusual sitting within a very wide plot in this part of Bell Road.

No 10 Bell Road is a large double fronted bungalow which has a 31 metres frontage onto Bell Road. The rear garden area which forms the application site was previously a small paddock and is currently occupied by a dilapidated stable block.

There is no defined character of housing in this area which consists of a variety of scales, types and designs of housing including bungalows, semi-detached, detached two storey houses in a variety of size plots. Most of the properties surrounding the application site have rear gardens in excess of 20 metres to the boundary with the site.

The pattern of development consists of rows of houses facing the highway with no backland developments in the immediate area.

The existing plot of 10 bell road measures

- 32mts wide x 68 mts deep
- Rear garden 35 mts long
- Front garden 22 mts deep

The distance between habitable room windows at the rear of the proposed plots and houses on Lodge Road varies between 65mts and 75mts.

The density per hectare (dph) around the site varies between 8 dph and 13 dph, the application site would result in a dph of 9.5.

A parcel of land adjoining the rear garden to number 10 extends behind numbers 4, 6 and 8. This was formerly a paddock area measuring 30mts deep x 30mts wide and is an area of land that is effectively land locked by no.s 4a to 8 Bell Road, 7 and 9 Park Road and 21 to 25 Lodge Road. It is currently accessed from Bell Road along an access drive to the south of the application site which is within the curtilage of the application site.

The local area is populated with one and two storey housing. Roof lights/dormer windows on many houses indicate a further storey within the roof. They range between late nineteenth through to twentieth century designs. These proposals defer to the Arts and Crafts and Inter War styles

The site is approx. 600m from the Park Hall shopping centre and is easily walked for fit persons. There is good access to bus routes with the main Birmingham Road being served with regular bus services into Walsall and Birmingham the nearest bus stop being 150m.

Relevant Planning History

16/1092 - Outline: Erection of 1 no. 4 bedroomed bungalow with access and layout (all other details to be reserved matters). Refused 19th October, 2016 for the following reasons:

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1. *The proposed development of a residential garden is not an effective use of land. The development would provide an unacceptable piecemeal backland development by reason of the erosion of an established private garden creating secondary development with no direct street frontage which would be out of character with the pattern of development in the surrounding area. The development would therefore be out of character with the appearance, pattern and density of development in the surrounding area. The proposal fails to respond to local character, reinforce local distinctiveness or reinforce the existing urban structure.*
2. *The proposal would reduce the level of amenity for adjoining occupiers of the development by exposing private amenity areas to the public realm by virtue of the proposed access drive, parking and manoeuvring area.*
3. *The use of the proposed access drive would have an adverse impact on the amenities of nearby residents due to the introduction of several traffic movements a day into what was a secluded, relatively quiet and peaceful garden area. It would result in increased activity, noise, disturbance and vehicular movements and have a detrimental impact particularly on the amenities of existing residents of no.8 and potential future residents at no.10, Bell Road, Walsall as vehicles would travel close to the side elevations as well as introducing manoeuvring at the rear.*

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*".

All the **core planning principles** have been reviewed and those relevant in this case are:

- Find ways to enhance and improve places in which people live their lives
- Seek to secure high quality design and good standards of amenity for all existing and future occupants
- Take account of the different roles and character of different areas.
- Proactively drive and support sustainable economic development to deliver the homes that the country needs.
- contribute to conserving and enhancing the natural environment
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value

Key provisions of the NPPF relevant in this case:

- **NPPF 6 - Delivering a wide choice of high quality homes**
- **NPPF 7 - Requiring good design** (*Paras 17, 56 and 58 which require high quality design that responds to the character of the area.*)
- **NPPF 11 - Conserving and enhancing the natural environment**

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On **planning conditions** the NPPF says:

Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

On **decision-taking** the NPPF sets out the view that local planning authorities should approach decision taking in a positive way to foster the delivery of sustainable development and look for solutions rather than problems and work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

Local Policy

Black Country Core Strategy

- CSP4: Place Making
- HOU1: Delivering Sustainable Housing Growth
- HOU2: Housing Density, Type and Accessibility
- TRAN2: Managing Transport Impacts of New Development
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality

Saved Unitary Development Plan

- GP2: Environmental Protection
- ENV10: Pollution
- ENV18: Existing Woodland, trees and hedgerows
- ENV32: Design and Development Proposals.
- ENV33: Landscape Design
- H3: Windfall Sites on Previously Developed Land
- T7: Car Parking
- T10: Accessibility Standards – General
- T13: Parking Standards

Supplementary Planning Document

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW9 High Quality Public Realm

Design Principle – Homes: Plot sizes and built density will relate to their local context. Exploitation of large building plots in residential areas for inappropriate infill will not be permitted. Privacy and aspect distances between dwellings must ensure that all occupants have a satisfactory level of amenity. Minimum guidelines are contained in Appendix D, however greater distances maybe applicable where it is in the interests of protecting the character of an area.

Annexe D: Privacy and aspect distances between dwellings must ensure that all occupants have a satisfactory level of amenity, whilst reflecting the existing and emerging character of the area. The requirement to design longer rear gardens to reflect an area's character is applicable and the guidelines should not mean to be the maximum achievable distances.

Numerical Guidelines for Residential Development identifies privacy and aspect distances between dwellings including 24m separation between habitable windows for two storeys and above (this standard will be applied more robustly at the rear than across roads at the front), 13m separation between habitable room windows and blank walls exceeding 3 metres in height, 45° code, garden dimensions of 12m in length and 68m² for housing.

45 Degree Code

Extensions, which would breach the 45 degree code, will not normally be allowed, except for single-storey extensions where the length of the extension would not exceed 3.5 metres in length as measured from the nearest window in the adjoining dwelling.

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

Policies are available to view online: http://cms.walsall.gov.uk/planning_policy

Consultation Replies

Transportation – no objections

Severn Trent Water – no objections subject to drainage condition

Pollution Control – no objections

Fire service – no objections

Representations

Amended Drawings Re-Notification (6/3/18)

Nine letters of representation (including an additional 4 new respondents) were received objecting on the following grounds:

- Boundary Treatments – We have not been consulted on proposed boundary treatments and therefore object to the plans to replace the fence along our boundary
- vehicle access states gravel which will creating noise and dust
- the no. of vehicles parking would exceed 12
- Our bungalow is sited 2 feet below no. 10, soakaway to dispose of surface water is inadequate, risk of surface water draining onto our site

- already suffer excess flooding during heavy downpours, further aggravated if shrubs and Trees are removed with the proposed development
- previously objected to three exits /accesses being included the proposed amendment still includes them
- Bell Road is used as a “park and ride” for 12 hours per day and we have repeatedly complained... 3 exits from No 10 will considerably increase the risk of an accident.
- 3 plots squeezed in to replace 1 bungalow
- existing bungalow is 4-5 metres away from us...Plot 3 is almost on our boundary
- height of Plot 3 is 4.85 metres and as our bungalow rests 0.6 metres below means the building would effectively be 5.45 metres at the eaves and due to the proximity block light from our kitchen window, glass kitchen door and bathroom window
- loss of light when the shrubs and trees opposite are not pruned regularly
- loss of privacy
- overlooked from windows of Plot 3
- overlooked at rear of our property affecting the bay window, conservatory and garden
- increase in noise, dust, dirt and fumes as a result of the building work
- congestion in Bell Road with construction traffic
- totally unsuitable for the area
- pursued for profit motives
- dominate the view from the rear of our property
- diminish our privacy
- change of character of the plot,
- Overdevelopment of open single storey site.
- should be confined to single storey dwellings in keeping with the existing properties to the South and East
- Replaced with 3 x 3 storey houses
- Shouldn't be more than one storey high
- Plot 1 corner window overlooking my land reducing my privacy,
- windows facing my side boundary reducing privacy and light
- plots 1,2 and 3 at the front will block views to Birmingham Road
- not in-line with the surrounding street dwellings
- should stay as it is...not allow 3 large property to be built
- not in keeping with the street
- the development is inappropriate
- Bell Road/Lonsdale Road is tricky due to parked cars, the road would be almost impassable.
- view down Lonsdale Road is lovely...3 large houses would ruin it
- area prone to flooding....last heavy rainfall had sandbags in Gleneig Mews
- flooding at the bottom of Skip Lane
water travels under Birmingham Road,
- rear of Bell Pub land is also water logged and Woodside off Skip Lane has some problems
- need to investigate surface water problems within this application and any other application we might receive

Comments on the original submission (including development of land to the rear)

Five letters of representation objecting on the following grounds:

- overlooking,
- noise from building works
- further parking nuisance and congestion
- parking vehicles outside drive on the green grass
- may cause flooding
- Inappropriate back-land development.
- new bungalow does not have any frontage onto Bell Road
- accessed by new long narrow drive between no 8 and 10
- para 53 of the NPPF indicates 'Local Planning Authorities should resist development for residential of residential gardens
- dangerous junction with Lonsdale Road
- new driveway adjacent to our property and close to existing fence
- removal of planting
- there is a drop of two feet along the side of No 8 and our small rear garden
- experience surface water flooding onto our land
- vehicles crashing down into our rear garden
- loss of privacy and security
- exposed to noise, light and air pollution from vehicles passing
- increase of dust and dirt
- the land is waterlogged... there is an underground stream running across the site
- no indications of any proposed drainage, water mains and sewage disposal or electricity /gas on site
- family members, guests and visitors will be parked on the road, further exacerbating the already congested parking situation on Bell Road
- close proximity of garage brick wall at bottom of garden
- haven for wildlife
- motivation is to maximise profit

Determining Issues

Principle of development
Design and Character of Area
Residential Amenity
Landscaping
Flooding/Drainage
Parking
Other issues/comments
Local Finance Considerations

Assessment of the Proposal

Principle of development

The NPPF says that decisions should encourage the effective use of land by re-using land that has been previously developed. The original application site included a small paddock and garden at the rear of no.s 4a to 8 Bell Road being surplus to

requirements. It was considered that is garden land, which is not defined as brownfield land and therefore considered not to be an effective use of land.

However, the application has now been amended and excludes any development on the former paddock and garden land. This is now proposed to be included as part of the rear garden to plot 3.

The NPPF says that housing applications should be considered in the context of the presumption in favour of sustainable development.

The application site is situated within a well-established residential area within easy walking distance (maximum of 1000m defined in paragraph 7.51 of the UDP) of Park Hall local centre and regular bus services along Birmingham Road. The site is considered to be in a sustainable location consistent with guidance in the NPPF, BCCS and UDP.

It is considered that the proposals will not cause harm to the local area, will not adversely impact on the character and identity of the plot or local area and will be consistent with advice in the NPPF. An appropriate level of private amenity will be retained for all neighbouring occupiers and the proposals will continue the street frontage of Bell Road.

The principle of three replacement dwellings on the wide plot is considered appropriate in this location.

As such the principle of the proposed development remains acceptable and in accordance with the aims of the NPPF and in particular BCCS Policies CSP1, CSP3, TRAN1, TRAN5 and ENV3 and saved UDP policies GP2, H3, ENV32 and T13

Design and Character of Area

The NPPF says that decisions should respond to local character, it is proper to seek to promote or reinforce local distinctiveness, address the integration of new development into the, built environment. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character. Policies CPS4, HOU2, ENV2, ENV3 of the BCCS; saved policies GP2, 3,6 and ENV32 of the UDP and Supplementary Planning Document Designing Walsall, require development to be informed/influenced by their context and reinforce locally distinctive elements. Plot sizes and built density will relate to their local context.

Properties nearby and in the wider area share three key characteristics; all front the public highway, have direct access onto the public footpath and share (in the majority) a common building line facing the public highway. At the rear, properties are orientated with rear gardens facing rear gardens.

The proposed three houses retain all of the above key characteristics

They would be sited along a notional building line between numbers 8 and 12 Bell Road, front onto the highway and have direct access via their own driveways onto the public footpath. Furthermore they all have rear facing gardens towards the rear gardens of houses on Lodge Road. The rear garden lengths being in excess of 13

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metres and the distances between rear facing habitable room windows also being in excess of Designing Walsall standard of 24mts.

The area is a mix of detached and semi-detached two storey houses and bungalows of differing designs, shapes, scales, styles and ages. The design of the proposed houses is quite unique in so far as they are not a traditional design. The NPPF states that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. The proposed design will provide three large five bedroom homes which will provide a wider choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The scale of the existing plot which has a frontage that is 32 mts wide, this is out of character with this side of Bell Road which currently consists of plots with frontages between 10mts and 16mts. The change to the frontage will bring the plot into line with other plots along Bell Road. In its current form the plot which is occupied by a single bungalow does not reflect the character of this area in terms of its scale.

The height of the proposed houses has been designed so as to respect both two storey houses to the north and single storey to the south. Whilst there may be a ground level difference of approximately 0.5mts this is not considered to be so great as to have a detrimental impact on the amenities of no. 8 Bell Road and this is further assisted by the development site being to the north of no.8 and therefore will not result in overshadowing or loss of sunlight.

The proposed roof pitches run away from the boundaries therefore creating space at the upper floor level.

The proposed site density: 9.5 density per hectare falls in-between the existing area density which ranges between 8 and 13 density per hectare. It is considered, the density on the application would reflect the density per hectare of neighbouring houses and would be in keeping and compatible with the surrounding pattern of development. Designing Walsall SPD requires a clear definition and separation between the private and public realm and building frontages will be designed to overlook the public realm. The application site by developing across the width of the site ensures that the rear amenity areas around the application site are secured.

On balance it is considered that the design reflects the differing designs around this estate and maximises the development of the site. It would provide a direct street frontage which is considered to be a defining character whilst reflecting the pattern of development in the area. The development therefore responds to local character, reinforces local distinctiveness and the existing urban structure whilst reflecting the appearance, pattern and density of development in the surrounding area. The development is in accordance with the aims and objectives of the National Planning Policy Framework, policies CPS4, HOU2, ENV2, ENV3 of the Black Country Core Strategy, policies GP2, 3.6 and ENV32 of the Saved Walsall Unitary Development Plan and the design principle: homes, policies DW3, DW4, DW6 and appendix D of Supplementary Planning Document: Designing Walsall.

Residential Amenity

The siting of the proposed dwellings fronting onto Bell Road respects all the Designing Walsall space around dwelling standards and includes the 45 degree guidance. The rear private areas of the proposed development and existing houses around the application site will be secured by the three houses being constructed across the frontage. As such there would be no access to the rear from public realm.

The existing boundaries around the site are mature and provide screening to the application site. Where possible this would be retained. A safeguarding condition requiring a landscaping scheme to be submitted for approval would ensure that as much of the existing landscaping is retained.

The application results in an additional two properties being provided, this is an extremely wide plot, the proposed development would make effective use of the site, whilst this will increase the numbers of persons living in this part of Bell Road, it is unlikely to increase the comings and goings to such an extent that it would have a detrimental impact on the amenities enjoyed by occupiers of neighbouring houses.

The proposal is considered would not result in a loss of light, overlooking or privacy to any habitable windows, due to the separation distances around the proposed houses to neighbouring properties, all of which would accord with the space around dwellings standards. There would be no significant overlooking to neighbouring windows or gardens.

Residents raise concerns about noise and disturbance during the construction phase and safety issues associated vehicles parking in an already narrow street. While such inconvenience is recognised in terms of noise and disturbance this is not a reason to refuse the planning application. Construction times could be controlled by condition.

Landscaping

There are no tree preservation orders on the site. This application proposes to retain as much of the existing boundaries and landscaping as possible. In order to secure this a safeguarding condition requiring the submission of boundary treatments and landscaping should be imposed. This will ensure the satisfactory development and appearance of the site within the area.

Flooding/Drainage

Residents have stated that there are existing flooding problems whilst the application has not demonstrated whether or not the proposal would have an impact on surface water drainage or where foul sewage would be dispersed to. Severn Trent has recommended a condition to mitigate such issues if permission is granted.

The application site is not within a flood zone as identified by the Environment Agency and there are no brooks indicated on the councils mapping system. As the proposal has minimal impact on the public sewerage system, Severn Trent has no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water, however, advise that there may be a public sewer located within the application site. Although their statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been recently

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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.

Parking

The proposed 3 new 5/6 bedroom dwellings, parking and garaging for at least 3 cars per dwelling is provided which accords with saved unitary development plan T13 parking policy.

As such the Highway Authority considers the development will not have severe transportation implications or impact on the local highway network and is acceptable in accordance with the NPPF in this respect.

Other Issues/comments

Objections received that the proposal, if approved, would lead to other development is not considered to be a reason to refuse the application, each proposal would be judged on its own merits.

Potential impacts on property values are not a material consideration of this planning application.

Whilst one of the objections makes mention that the site is a haven for wildlife, no further details of which species or habit may be affected or where these may be located within the site. In the absence of any further details from the objector or ecological records to indicate that any protected species may be affected, it is not considered that there are any substantive reasons to require further investigation on this matter.

Local Finance Considerations

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 3 new homes.

The Government has indicated that, for 2018-19, 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 2018-19 the total payments, taking account of completions over the last 4 years, are expected to amount to £3,637,301.

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 key material planning considerations, neighbour comments in particular: boundary treatments, landscaping, drainage, plot size, overdevelopment, design, scale, character, loss of light, privacy, overlooking and parking have been fully

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considered and consultee responses have been weighed in assessing the planning application, property values are not a material consideration. As such it is considered that the proposed development accords with the aims and objectives of the National Planning Policy Framework, BCCS policies CSP4, HOU1, HOU2, TRAN2, ENV2 and ENV3, Saved Unitary Development Plan policies GP2, ENV10, ENV18, ENV32, ENV33, H3, T7, T10 and T13 Supplementary Planning Document Designing Walsall and on balance is considered to be acceptable.

Whilst the proposed scheme introduces a different scale of built development along this part of Bell Road it is considered represents other nearby two storey housing and maximises the sites potential. It will provide a type and scale of house that is welcomed and taking into account the character of the area it is considered that the proposed development is satisfactory and will benefit the local area and future occupants.

The use of safeguarding conditions in respect of the landscaping, boundaries, materials, electric vehicle charging points, side facing windows and permitted development extensions will ensure that the 6 tests: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and reasonable in all other respects within the national planning guidance are fully met.

Taking into account the above factors, there are no objections from significant consultees or the community, is considered that the application should be recommended for approval.

Positive and Proactive Working with the Applicant

Officers have spoken with the applicant's agent and in response to concerns raised regarding siting and design amended plans have been submitted which enable full support to be given to the scheme.

Recommendation

Grant Subject to Conditions

Conditions and Reasons

1: This development must be begun not later than 3 years after the date of this decision.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended.

2. This development shall not be carried out other than in conformity with the following plans and documents: -

PLANS

- Location and Block Plan (1712-301) received 6/3/18
- Block plan received (1712-305) 6/3/18
- Separation Plan (1712-303) received 6/3/18
- Roofscape Plan (1712-304) received 6/3/18

- Street Scene (1712-305) received 6/3/18
- Site Overview from SW (1712-306) received 6/3/18
- Site Overview from SE (1712-307) received 6/3/18
- Plots 1 and 3 Elevations (1712 – 308) received 6/3/18
- Plot 2 – Elevations (1712-309) received 6/3/18
- Plots 1, 2 and 3 – Floor Plans (1712-310) received 6/3/18
- Visualisations - Plot1 (1712-311) received 6/3/18

DOCUMENTS

- Bat and bird survey received 15/11/17
- Design and Access statement received 15/11/17
- Arboricultural Implication Assessment received 15/11/17
- Topographical survey (9514) received 15/11/17

Reason: For the avoidance of doubt and in the interests of proper planning, (except in so far as other conditions may so require).

3a. Prior to commencement of any development on site details of parking and turning facilities for site operatives within the application site shall be submitted to and approved in writing by the Local Planning Authority.

3b. The approved details shall be fully implemented and retained during the construction period.

Reason: In order to discourage indiscriminate on street parking by site operatives

4a. Prior to commencement of any development on site, a schedule of facing materials to be used in external walls and roofs has been submitted to and approved in writing by the Local Planning Authority.

4b. The development shall be fully implemented in accordance with the approved schedule of materials and retained thereafter.

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

5a. No development above damp proof course shall commence until details of the electric vehicle charging points, to be provided for each dwelling has been submitted to and approved in writing by the Local Planning Authority.

5b. Prior to first occupation of the development the electric vehicle charging points shall be fully installed in accordance with the approved details and shall be retained and maintained for the life 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 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy

6a. Prior to the first occupation of any dwelling on the development, the driveway, parking and vehicle manoeuvring areas serving that dwelling shall be fully consolidated, hard surfaced and drained so that surface water run-off from these areas does not discharge onto the highway or into any highway drain.

6b. 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 saved UDP policy GP2, T7 and T13.

7a. Prior to the first occupation of any part of the development on site, until full details of the proposed boundary treatment of the site have been approved in writing by the Local Planning Authority. The submitted scheme shall include any internal site divisions.

7b. The approved scheme shall be fully implemented before the development is brought into use and shall be thereafter retained.

Reason: To ensure the satisfactory appearance and functioning of the development.

8a. Prior to the first occupation of any part of the development on site, until full details of hard and soft landscaping works shall be submitted and approved in writing by the local planning authority to include the following:

- correct botanical names
- numbers/planting densities for each block of planting proposed
- size supplied of all proposed shrubs at time of planting
- details of proposed turf/seeded areas
- topsoil and mulching depths and specifications
- details of landscaping establishment/maintenance proposals to be undertaken during the standard maintenance period
- details of future management of the landscape scheme
- ground preparation measures to be adopted
- existing and proposed levels
- Management plan

8b. The approved landscaping shall be fully implemented within 12 months of the completion of the development.

8c. All planting shall be maintained for a period of 5 years from the full completion of the scheme. Within this period any trees, shrubs or plants which dies, becomes seriously diseased, damaged or is removed shall be replaced with a tree, shrub or plant of the same or greater size and same species as that originally required to be planted.

Reason: In order to safeguard and enhance the visual amenities of the locality in accordance with saved Policy ENV18 of the Walsall UDP and policies NE5 and NE9 of Walsall Council SPD, Conserving Walsall's Natural Environment.

9. Prior to the first occupation of any dwelling on the development, a vehicle footway crossing to align with the new access point serving that dwelling, including the reinstatement back to full kerb height of any existing dropped kerbs made redundant as a result of the development

Reason: To ensure the satisfactory completion and operation of the access, in accordance with saved UDP Policy GP2, the Council's footway crossing procedure and in the interests of highway safety.

10. No construction demolition or engineering works (including land reclamation, stabilisation, preparation, remediation or investigation) in connection with the development shall take place on any Sunday, Bank or public holiday* and otherwise such works shall only take place between the hours of 0700 and 1800 weekday, and 0800 to 1400 Saturdays. No plant, machinery or equipment associated with such works shall be started up or be operational on the site outside of these permitted hours.

NB. Bank or public holidays for this purpose shall be: Christmas Day; Boxing Day; New Year's Day; Easter Monday; May Day; Spring Bank Holiday Monday and August Bank Holiday Monday)

Reason: To safeguard the amenity of the area.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or succeeding Orders, the proposed dwellings shall not be extended.

Reason: In order to maintain an adequate amenity area at the rear of the Dwellings and to ensure the satisfactory appearance of the development.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or succeeding Orders, no side facing windows or doors other than those approved by this permission, and no enlargements, additions or other alterations, as defined by Classes A to D of Part 1 of Schedule 2 of the Order, shall be constructed.

Reason: To ensure the Local Planning Authority has control over the development in the interests of retaining sufficient levels of amenity and parking provision for occupiers of houses hereby approved and in accordance with saved UDP Policy GP2, T7 and T13.

Notes for Applicant

Birds - To avoid the risk to nesting birds, demolition and dismantling works should be undertaken outside the bird nesting season. The bird nesting season extends between March and September inclusive but is weather dependant and nesting may take place outside this period. If site clearance unavoidably takes place within the nesting season the site shall be checked by a qualified and experienced ecologist immediately prior to works commencing. If nesting birds are discovered then the nest and its surrounds must be left undisturbed until the young have fledged and the nest abandoned. Please note that feral pigeons are protected and destruction of nests could only take place on the grounds of public health or public safety.

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Air Quality SPD - Pollution Control is of the opinion that the Application falls under the Type 1 category, therefore the Applicant needs to install electric vehicle charging points and low NOx boilers.

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

An external weatherproof and lockable covered 32 Amp external 7 pin charging socket to comply with EN 62196-2 and be compatible with a J1772 Type 2 connector. The charging unit should feature a Mode 3 (IEC 61851) communication module.

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.

Drainage - Severn Trent Water advise that there may be public sewers located within the application site. Public sewers have statutory protection and may not be built close to, directly over or diverted without consent. You are advised to Contact Severn Trent Water to discuss your proposal. Severn Trent will seek to assist you obtaining a building regulations application the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 metres of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Mud - 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.

Road Opening Permit - The applicant will be expected to obtain the necessary Road Opening Permit from the Highway Authority for the dropped kerb footway crossing works within the public highway. For further information please contact the Traffic Management Team on 01922 654675.

Footway Crossings – the footway crossings shall be installed in accordance with the Council's footway crossing specification SD11/8 dated January 2008 and to the satisfaction of the Highway Authority. All works within the public highway shall be in accordance with all statutory requirements. The new crossing shall not exceed five 900mm flat kerbs and two 900mm taper kerbs.

Lighting - The relocation of the existing street lighting column as may be necessary as a result of the proposed access arrangements, shall be with the agreement of the Council's Street Lighting partner, Amey, the full costs of which shall be at the applicant's expense.