

Planning Committee

Report of Head of Planning and Building Control on 15 July 2021

Plans List Item Number: 1

Reason for bringing to committee

Council owned land

Application Details

Location: LAND SOUTH OF, NARROW LANE, WALSALL. (FORMER NARROW LANE HOME)

Proposal: CHANGE OF USE TO A TRANSIT SITE FOR THE GYPSY, ROMA AND TRAVELLER COMMUNITIES FOR A TEMPORARY 3 YEAR PERIOD, CONSTRUCTION OF A NEW ACCESS AND DRIVEWAY OFF DARLASTON ROAD, HARDSTANDING TO ACCOMMODATE 6 X PITCHES AND ASSOCIATED PARKING, AMENITY BLOCKS, BOUNDARY FENCING AND LANDSCAPING.

Application Number: 21/0368

Case Officer: South Area Team

Applicant: Jag Raan

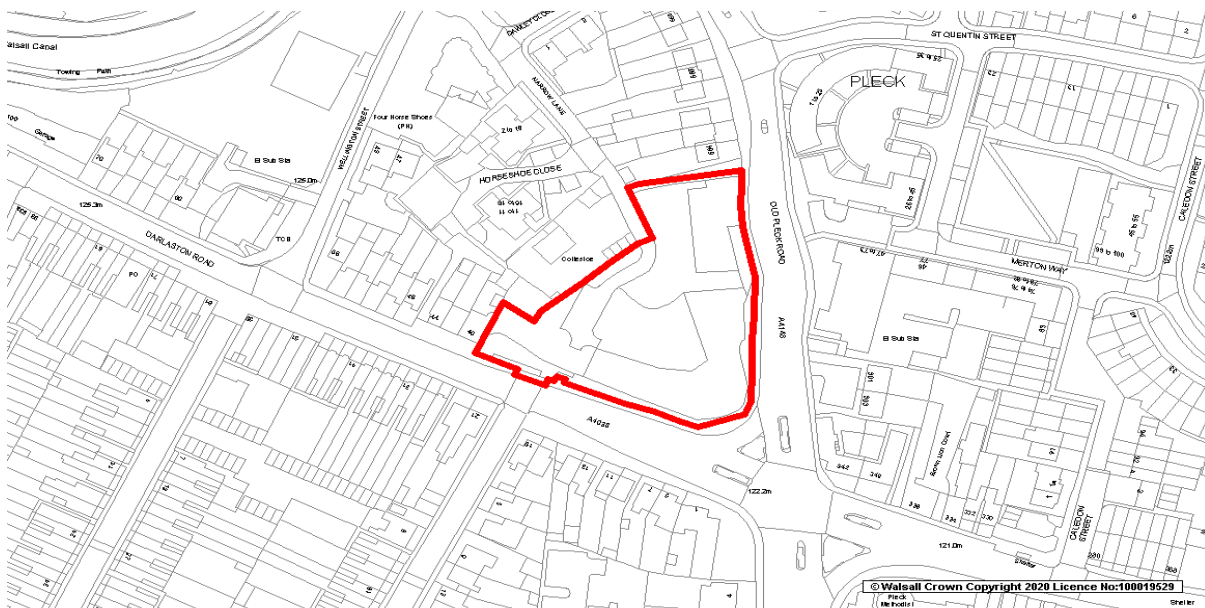
Ward: Pleck

Agent:

Expired Date: 19-May-2021

Application Type: Full Application: Change of Use

Time Extension Expiry:



Recommendation

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

- Re-consultation on an amended drainage scheme and refuse collection scheme to overcome consultee objections;
- No objections from the Lead Local Flood Authority and the Council's Clean and Green Team (Waste Management);
- No new material considerations being received within the consultation period; and
- The amendment and finalising of planning conditions.

Proposal

Planning permission is sought for change of use to a transit site for the Gypsy, Roma and Traveller communities for a temporary 3 year period.

The submitted supporting documents explain that the temporary permission would provide Walsall Council with an opportunity to assess the effectiveness of the transit site during that period of time and would offer further time to consider any potential alternative sites for the long-term permanent provision to be accommodated within the Borough.

The transit site, measuring 0.43ha in area would provide hardstanding to accommodate 6 caravan pitches, each consisting of 1 caravan parking bay at varying sizes and 2 car parking bays measuring at 2.5m by 6m each. The caravan bay sizes are as follows:

- Three caravan bays at 16m by 4m
- Two caravan bays at 18m by 4m
- One caravan bay at 21m by 4m

These measurements are based on a typical caravan size of 8m.

The welfare facilities would be located at the most northern point of the site, which would include 1 x male and 1 x female modular shower unit measuring 2.44m deep, 1.52m wide and 2.55m high each, and 6 x individual modular toilet cubicles measuring 1.2m deep, 1.4m wide and 2.55m high. All cubicles would have a galvanised steel external finish.

On-site facilities would also include an electricity supply, a drain for the disposal of waste water, a shared fresh water supply and dedicated household waste and recycling bins.

The site would be accessed via a new access provided from Darlaston Road controlled by a 1.9m height restriction gate and further manual swing vehicle gate along with a separate pedestrian access gate set 15m back from the nearer edge of the footpath to the site. The access road would be designed to allow for a two-way carriageway facilitating an entrance and exit lane, leading to a one-way turning facility around the centre of the site. The existing access off Narrow Lane would be closed and only available in emergencies.

The transit site would be enclosed by fencing, consisting of mesh panel fencing adjacent to Darlaston Road and solid steel hoarding panel fencing around the remainder of the site measuring 2.4m in height retaining and re-using existing fencing where possible. The footway to the north of the site would also be closed off and enclosed within the site.

Additional works include CCTV at the site entrance and at the rear of the site off Narrow Lane, along with replacement tree planting. No new lighting is proposed; however the existing street lighting column along Darlaston Road would be relocated to a more suitable position to accommodate the works.

The application is supported by a Site Management Plan, which sets out the principles of how the intended transit site would be managed. With regards to frequency of use, the document explains that demand for transit site accommodation could fluctuate, often with increasing popularity during the summer months, but there is potential for all year round demand.

The site would be operated through a booking system with a deposit paid prior to occupation of the site. The maximum stay at the site for any one family would be 4 weeks, which could be extended at the discretion of Walsall Council.

There would be a dedicated off-site manager, who would make regular visits to the site when it is occupied to ensure the site is providing an adequate and safe living environment for the occupants. The site manager would have the use of enforcement and eviction powers as well as powers to protect occupants of the site in relation to any potential anti-social behaviour issues. The site manager would work collaboratively with the local police who will also make regular unscheduled visits. Out of hours emergency site management contact details would be displayed on the site for the benefit of site occupants and the surrounding residents / occupiers. A dedicated parking space is provided within the site for the site manager.

A number of supporting documents have been submitted, which include the following:

- Site Management Plan
- Design and Access Statement
- Preliminary Ecological Appraisal Report
- Draft Construction Phase Plan
- Coal Authority Report
- Ground investigation report

Site and Surroundings

The application site, measuring 0.43ha, occupies a corner plot at the Darlaston Road/Old Pleck junction. The site has most recently been used as a site compound to facilitate the Darlaston Strategic Development Area Access Project (highway improvement works in 2015) and is currently vacant. Prior to that, the site contained a care home and another commercial building which have since been demolished and removed from the site.

The site is close to M6 junctions 9 and 10 and in close proximity to Pleck Local Centre with a number of services and facilities being available. The nearest GP (Pleck Health Centre) is 4.5km away from the site and the nearest school (Hillary Primary School) is 0.5km.

The site is currently accessed off Narrow Lane. The land within the site is generally levelled and hard-surfaced and is enclosed by the hoarding fencing and mature perimeter foliage.

The surrounding area is predominantly residential. The nearest residential property to the north is No. 564 Old Pleck Road, which is separated by a footway leading from Old Pleck Road to Narrow Lane and mature vegetation.

Relevant Planning History

None

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 6 – Building a strong, competitive economy**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **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**

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 applicant to secure developments that will improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

National Planning Policy Guidance

NPPG Paragraph 008 (Reference ID: 21b-008-20140306) states:

"A material planning consideration is one which is relevant to making the planning decision in question (eg whether to grant or refuse an application for planning permission)."

The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light 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. The **characteristics** that are protected by the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Of these protected characteristics, disability, age and in this instance race, are perhaps where planning and development have the most impact. There is a positive duty on local authorities to facilitate the traveller lifestyle.

In addition, the 2010 Act imposes a Public Sector Equality Duty “PSED” on public bodies to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality and to foster good relations. This includes removing or minimising disadvantages, taking steps to meet needs and encouraging participation in public life.

Section 149(6) of the 2010 Act confirms that compliance with the duties may involve treating some people more favourably than others. The word favourably does not mean ‘preferentially’. For example, where a difference in ground levels exists, it may be perfectly sensible to install some steps. However, this would discriminate against those unable to climb steps due to a protected characteristic. We therefore look upon those with a disability more favourably, in that we take into account their circumstances more than those of a person without such a protected characteristic and we think about a ramp instead. They are not treated preferentially, because the ramp does not give them an advantage; it merely puts them on a level playing field with someone without the protected characteristic. As such the decision makers should consider the needs of those with protected characteristics in each circumstance in order to ensure they are not disadvantaged by a scheme or proposal.

Fundamental to what has been set out above is a consideration of the Human Rights Act 1998, and in particular Article 8 which protects rights to both a family life and to a home.

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
- 3.11 Forestry and Trees
- GP2: Environmental Protection
- ENV10: Pollution
- ENV11: Light Pollution
- ENV17: New Planting
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- ENV40: Conservation, Protection and Use of Water Resources
- T7: Car Parking
- T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

- Vision, Sustainability Principles and Spatial Objectives
- CSP4: Place Making
- CSP5: Transport Strategy
- HOU4: Accommodation for Gypsies, Travellers and Travelling Showpeople
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV8: Air Quality

Walsall Site Allocation Document 2019

- HC1: Land Allocated for New Housing Development
- HC4: Accommodation for Gypsies and Travellers and Travelling Show People
- EN1: Natural Environment Protection, Management and Enhancement
- 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

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW7 Diversity
- DW8 Adaptability

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

Other Material Considerations

DCLG Planning Policy for Traveller Sites (PPTS)

Consultation Replies

Coal Authority - no objection

Community Safety - support the proposal and noted the following:

- The provision of a transit site and a suitable place for those from this protected group to temporarily stay is an important part of the Council's overall provision for the communities it serves.
- A transit site is also very useful in terms of the borough's approach to unauthorised encampments when they occur, allowing access to additional powers that the Council can use in conjunction with the police to, where appropriate, take swift action to re gain possession of a site.
- The provision of a well-managed transit site should improve outcomes for both members of the traveller community and the broader communities of the borough.

Ecology - no response at time of writing report. Any update to be provided in the supplementary paper.

Environmental Health – no objection

Highways England - no objection

Housing Standards – no objection but noted that the site should be designed in line with Government Guidance on designated caravan sites

Local Highway Authority – no objection, subject to conditions to ensure that all access ways, vehicle manoeuvring and hardstanding areas are fully consolidated, hard surfaced and drained and restriction of vehicular access to the site from Narrow Lane only for emergency vehicles.

Lead Local Flood Authority - insufficient detail has been submitted to fully demonstrate an acceptable drainage strategy.

Pollution Control – no objection

Public Health – support

Public Lighting – no objection subject to a condition to submit lighting details, should there be a lighting scheme proposed

Public Rights of Way – no objection and noted that a link path present between Narrow Lane and Darlaston Road which is proposed to be closed during the development is not a recorded public right of way and that it does not form part of the adopted highway.

Severn Trent Water – no objection, subject to a pre-commencement condition requesting detail for the disposal of foul and surface water flows.

Strategic Planning Policy – no objection, subject to conditions restricting occupancy to travellers only and to no individual occupying the site on a permanent basis.

Tree Preservation Officer – no objection, subject to conditions to ensure protection of the retained trees and replacement tree planting on a one for one basis.

Waste Management (Clean and Green) – concerns that the proposed gated access and access road may not be able to accommodate a refuse collection vehicle.

West Midlands Fire – no objection, subject to access and facilities completed in accordance with Approved Document B, Volume 1, Dwellings, 2019

West Midlands Police – no objection but provided advice with regards to safety and security of the site using the principles of Secured by Design

Representations

- A petition has been forwarded by Cllr Gultasib containing 1,889 signatures (846 paper signatures and a further 1043 online) with objections to the proposal.
- A total of 89 separate individual representations received from the local community, of which 86 objections, 2 in support and 1 neutral comment. Also 13 anonymous representations (containing no names and/or addresses)

Objection grounds are as follows:

- Site selection process was not conducted fairly as there are far more suitable sites across Walsall that should be considered (*see officer comments below*).
- The site is too small for the proposed number of transit travellers.
- The decision to choose Pleck is politically motivated (*see officer comments below*).
- Unsuitable location in a deprived area.
- More favourable alternative sites in Walsall area.
- Fly tipping, litter, pollution, pest control issues and anti-social behaviour are prevalent in the area.
- Inadequate public consultation with the community from the onset, not even the local elected representatives were aware (*see officer comments below*).
- Traffic and additional strain on the busy junction and surrounding highway network.
- The proposal would prevent further investments into town.
- New access to the site is off an extremely busy road and letting caravans on and off will cause a lot of chaos to the area.
- Inadequate resources in the area, schools, doctors.
- Devaluation of property (*see officer comments below*).
- Impact on existing businesses.
- The area is suffering from poor air quality.
- Site is a greenfield site, not a brownfield site - impact on grass verges, trees and flora.
- The local area needs vast improvement and money to be spent but not on this proposal.
- Fear of crime and anti-social behaviour.
- Noise and general disturbance to the nearest neighbours.
- Having sites already set up in nearby Dudley, Wolverhampton and Sandwell areas is sufficient for travellers.
- Risk of change into a permanent traveller site.
- GRT community deserves a better place than that which is on Narrow Lane, safe and secure, crime free and better air quality

Grounds of support as follows:

- Excellent proposal.
- This proposal is welcomed by GRT representatives and is a real step in the right direction, making proper provision that will do much to avoid people having no option but to pitch up somewhere without authorisation.
- It is a suitable site and suggestions that there would be unacceptable increases in traffic or undue stress on services or amenities are really not well founded and would simply not be credible if raised in the vast majority of equivalent small scale housing developments.
- The GRT communities are among the most marginalised and discriminated against in the country. Much of the bad press they receive is as a result of the behaviour of a few - a way in which it would be obviously unacceptable to judge any other section of the population. When proper provision such as this is made there is then a real chance for these issues to be overcome.

Neutral comment:

- The site over the bridge from Morrisons should be ideal if the visiting GRT communities have horses. No qualms, if there are no trouble caused.
- Objection from Cllr Hussain raising the following concerns:
 - The site is unsuitable for the intended use and will have a heavily detrimental impact on the local community.
 - The location of the proposed site is already heavily congested due to the proximity of M6 and Black Country Route.
 - There will be a further significant increase in traffic congestion in the area bringing with it an increase in noise pollution and air pollution.
 - There will be a negative impact on lives of those residents living in close proximity to the site, posing a considerable risk to their health and well-being, in particular children who attend the school, which is close to the proposed site.
 - Allocated resources for the area will be stretched even further across the Pleck ward, which is already one of the most deprived areas in Walsall.

Officer comment:

It should be noted that the selection of a site for a particular planning use is not a function of the Planning Committee when it considers an application for planning permission for that site. The Planning Committee is required to consider whether the application before it is a suitable use for that site, not whether that use could be carried out on a different site. Similarly, the Planning Committee cannot consider whether there might have been particular political motivation behind the selection of a site for a particular use.

The council met its statutory duty to carry out consultations before putting this matter before the Planning Committee. The duty was to carry out consultations in respect of this planning application.

Whether other properties might be devalued is not a material consideration when considering an application for planning permission.

Determining Issues

- Planning Policy Context and Principle of Development
- Appearance and Layout
- Amenity of Neighbours and Amenity of Future Occupiers
- Highways
- Trees
- Ecology
- Other matters

Assessment of the Proposal

Planning Policy Context and Principle of Development

Planning Policy Context

National policy is set out in the DCLG Planning policy for traveller sites (PPTS) published in 2015. This states, amongst other matters, that Government's aims in respect of traveller sites are:

- a. that local planning authorities should make their own assessment of need for the purposes of planning
- b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- e. to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- f. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
- h. to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- i. to reduce tensions between settled and traveller communities in plan-making and planning decisions
- j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- k. for local planning authorities to have due regard to the protection of local amenity and local environment.

On decision making, the PPTS states that Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites

When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Black Country Core Strategy (BCCS) policy HOU4 identifies indicative targets for new gypsy and traveller pitches. Targets for permanent residential pitches are set at the individual local authority level. There is a Black Country-wide target of 10-12 transit pitches.

The policy provides criteria for Gypsy and traveller transit pitches:

- The site should provide safe and convenient access to road networks.
- The site should be suitable as a place to live, particularly with regard to health and safety.

In this case, the proposed transit pitches are designed to temporarily accommodate gypsies and travellers whilst moving between permanent sites or visiting the area, and provide basic amenities including, as a minimum, a water supply and waste disposal facilities.

The application site is allocated for housing, as site reference HO310, by policy HC1 of the Site Allocation Document (SAD). The table of sites in this policy indicates that the site is affected by poor air quality and traffic noise.

Permanent traveller sites are separately allocated by SAD policy HC4. The SAD does not allocate any site as a transit site, however policy HC4 includes criteria for transit sites:

- i. The site should be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy.
- ii. The site should provide safe and convenient access to road networks and be located so as to cause minimum disruption to surrounding communities;
- iii. The site should be suitable as a place to live, particularly with regard to health and safety.

Principle of Development

The BCCS does not set targets for transit sites at an individual authority level.

Sandwell and Dudley Councils have now constructed transit sites, and the City of Wolverhampton Council is also proposing one. These do not, however, enable use to be made of section 62A of the Criminal Justice and Public Order Act 1994. This allows the police to direct trespassers to remove themselves and their vehicles and property from land where a suitable pitch on a relevant caravan site is available within the same local authority area. The existence of sites in neighbouring areas is not sufficient to allow this power to be used. Therefore it is considered necessary and reasonable that the transit site is available for use in urgent cases.

There are several existing permanent sites in Walsall; however these are nearly all privately owned, including by single families. The only site owned by the Council, at Willenhall Lane, is at full capacity.

The SAD allocates a new permanent site at Dolphin Close, Goscote, on land that is owned by the Council. This site was discounted to be used as a transit site on the ground of poor access to the site, which is restricted by a narrow canal bridge on one side and a road through an established residential area on the other side. This means that it may not be desirable on highway safety or community cohesion grounds to encourage any use of the site that would involve regular movements of caravans and other larger vehicles.

The Development Plan for Walsall, in particular the adopted site allocation document, allocates land as suitable for particular sorts of development. This land was included in an area identified as suitable for housing development. The Plan also identified a need for provision of sites for the Gypsy, Roma and Traveller community. The Plan did not identify specific sites for use as transit sites. Instead land which had been identified as suitable for housing development could also be used to provide sites for the GRT community. As has been commented earlier, the selection of a suitable site is not a matter to be considered by the Planning Committee as it was a matter which had already been considered in the Development Plan. It is for the Planning Committee to decide whether the proposed use is suitable for this particular site.

The submitted Design and Access Statement explains that the temporary option for the use of the application site was preferred over a permanent use as it would give the Council the opportunity to assess the effectiveness of the transit site. It would also offer additional time for a further search for the most suitable site for longer and/or permanent provision with the Borough. It is accepted that the application site by itself may not be of sufficient size to accommodate some of the larger community groups; however a smaller site may make it easier to achieve community cohesion in the locality.

Whilst SAD policy HC1 primarily identifies sites for permanent homes, caravan pitches form part of the housing land supply for the purposes of calculating the New Homes Bonus and the Council's performance against the Housing Delivery Test. The use of this site as a temporary transit site is therefore considered to be in accordance with the development plan, subject to consideration of detailed issues such as health and safety.

The site is close to M6 junctions 9 and 10 and has good access for travellers from the strategic highway network. It is situated in close proximity to Pleck Local Centre, so facilities such as shops and medical facilities are available. Assessment of amenity of future occupiers of the site and local highway network would be considered in more details separately in this report.

The application is therefore supported in principle, subject to conditions restricting occupancy to travellers as defined in the Planning Policy for Traveller Sites 2015 or succeeding guidance, and to no individual occupying the site on a permanent basis as recommended by the Strategic Planning Policy Team.

The NPPG states that circumstances where a temporary permission may be appropriate include a trial run in order to assess the effect of the development on the area. In this case, a temporary consent is considered appropriate in order to assess the level of use and its impacts. It was considered that temporary consent would give an opportunity to assess the effectiveness of the transit site. It would also provide an opportunity to identify the most suitable sites for longer term, permanent, provision within the borough. This is considered to be appropriate in this instance given the high level of public concerns that this application has attracted. The three-year period of the temporary permission should commence from first occupation, giving sufficient timescale for necessary preparation work within the site.

Appearance and Layout

The proposed site layout is considered acceptable. The proposed pitches would have sufficient space for a caravan and two cars to park within each allocated area. In order to adhere with the recommendations of The Fire Service, there would be a 3m spacing provided between each car and caravan plot and a minimum of 6m spacing between each caravan plot.

Proposed welfare porta cabins and caravans would be largely screened from the street scene by the boundary fencing and vegetation buffer consisting of the trees/hedges. No significant adverse visual impacts are anticipated.

The site would largely be enclosed by the boundary fencing, consisting of a combination of mesh panel fencing adjacent to Darlaston Road and solid steel hording panel fencing around the remainder of the site at 2.4m height around the site boundary. The footway to the north connecting Old Pleck and Narrow Lane would also be incorporated within the site boundary; however no details of the proposed fencing for that section of the site is provided. A condition would be included requesting details of all boundary treatment in order to ensure the satisfactory appearance of the development.

The proposals include installation of two CCTVs which would be located at the entrance and the rear of the site. The submitted layout plan does not identify their precise location. A condition is considered to be necessary to ensure that the details of the CCTV and its precise location are submitted prior to their installation to ensure privacy of the nearest neighbours is not adversely affected. It is considered that this can be achieved by suitable siting of the cameras.

Overall, this proposal complies with Saved UDP Policies GP2, ENV32, ENV33, T7 and T13, BCCS Policies CSP4, HOU4, ENV2 and ENV3, SAD Policy HC1, DW3 of the Designing Walsall SPD and the NPPF.

Amenity of Neighbours and Amenity of Future Occupiers

The application site is predominantly surrounded by residential properties. The site would be screened by a perimeter of fencing and mature vegetation separated by the existing/new fencing creating a visual buffer zone that would also help reduce the level of noise.

Members of the local community have raised concerns about the noise and disturbance associated with the proposed use of the site. The application is supported by the detailed Site Management Plan ('the Plan') which also sets out the mechanism to ensure that the occupants are made aware of what behaviour and activity is not permissible on-site, and what actions to be taken where reported. The Plan also states the following:

'The site manager will record incidents and instances of illegal activity or anti-social behaviour take place on or around the site (whether by residents or the neighbouring community). This include vandalism, fly-tipping, waste disposal and damage to the site's facilities and amenities. The site manager will notify the Council with a view to their reporting any such occurrence to the police, the Community Protection Team, or fire authorities as appropriate. In reporting these to the authorities, the site manager will obtain a relevant reference or crime order.'

It is understood that the Site Manager would be working in collaboration with the Police to ensure the safety of the occupants of the site and manage any complaints arising as the result of any potential anti-social behaviour issue. The Community Protection team has raised no objection. It is necessary and reasonable to add a condition to ensure that the applicant adheres to the terms of the Site Management Plan in order to ensure the safety of, and safeguard the amenities of, occupants and nearby occupiers.

West Midlands Police have raised no objection to the proposed development. As per the advice of the Police, the footway path from Narrow Lane to Old Pleck Road would be incorporated within the development boundary and enclosed by the fence as part of the site. An informative note should be included containing an advice to the applicant from West Midlands Police, providing the relevant links to Secure by Design principles.

The local residents have also raised concerns regarding poor air quality in the area in relation to an increase in traffic movement in the area associated with the proposed use.

With regards to air quality, the submitted Design and Access Statement states the following:

'In 2018 Walsall Council was subject to a Government Ministerial Direction to explicitly consider mitigation measures that could be brought forward to achieve compliance with the National Air Quality Objective for nitrogen dioxide. A combined Black Country Targeted Feasibility Study was therefore completed in July 2018 accepting its conclusions. It was recognised that there were outstanding problems in the borough, notably around M6 J10/A454 Black Country Route, which was subject to major improvement works programme. The Council was not directly tasked with bringing forward any air quality improvement measures... The Council's Nitrogen Dioxide Areas of Exceedance plan was updated in 2020 and the site is not in proximity to an area of exceedance as shown on the updated plan. Furthermore, the locality has not previously been a consideration in regard to specific air quality mitigation... The Council had already embarked on air quality monitoring and assessment project, no in its fifth year, to identify key areas of concern and inform public health initiatives. These locations do not concern the proposed site.'

Neither Environmental Health nor Pollution Control teams raised any objections. Pollution Control has also confirmed that no unacceptable impacts on the air quality and health of the local community is anticipated as the result of the proposed use in this case. The size of the site is not sufficient to accommodate large groups of travellers. It would therefore not attract a high volume of traffic. On balance, no unacceptable adverse impacts on the local air quality is anticipated.

Similarly, with regards to noise, it is not anticipated that the noise level would be any higher than that which would arise from the allocated use for general residential use. It is however recognised that some disturbance is expected during the construction phase and although the application is supported by a draft Construction Management Plan, more detailed information is required regarding the mitigation measures to ensure that the amenities of the nearest residents and occupiers are safeguarded during the construction phase. It is therefore reasonable and necessary to add a condition accordingly.

Overall, this proposal complies with Saved UDP Policy GP2, BCCS Policy ENV8, the Air Quality SPD and the NPPF.

Highways

The proposal includes closure of the existing access off Narrow Lane and construction of a new access off Darlaston Road. The rationale is explained by the applicant in the submitted Design and Access Statement as follows:

'A new access road is to be proposed to provide access from Darlaston Road, avoiding traffic through Wellington Road... In addition to avoiding traffic through the residential roads, disturbance to the residents is reduced by allowing access on the main road, Darlaston Road, which can easily accommodate vehicles requiring access to the proposed transit site.'

A number of local residents have raised concerns regarding traffic associated with the proposed use of the site.

The application site is located near the busy junction and would accommodate 6 caravans and 12 cars at full capacity. The applicant has explained that, should any group of the GTR community be too large, exceeding the number of parking spaces available at this site, they would not be directed to this site. It is proposed that future occupants would be escorted to the site by police enforcement to minimise disruption. Once within the site, caravans would be parked and cars would be used for general use by the occupants.

Neither Highways England nor the Local Highway Authority have raised any objection. The Local Highway Authority has noted that the number of predicted vehicle movements to the site are considered to be low and would be imperceptible against background traffic. The number of pitches would be limited to 6 and would not create any additional capacity issues to the junction. Subject to recommended conditions, no unacceptable impact on road safety or severe cumulative impacts on the operation of the road network are anticipated. The proposal is therefore considered acceptable and in accordance with Saved UDP Policy T13 and the NPPF. Any refusal on these grounds would not therefore be warranted.

Trees

The proposed access road would necessitate the removal of at least 3, but perhaps 4, established trees to the west of the site. The Council's Tree Officer has advised that these trees are not particularly significant and their loss could be mitigated with some replacement tree planting on a one for one basis. The proposals include three replacement trees to be planted around the site. Subject to recommended conditions to ensure protection of the retained trees and details of the replacement tree planting, the Tree Officer has raised no objections. The conditions are considered to be necessary in order to preserve and enhance the visual amenities of the locality and should be added accordingly.

Overall, this proposal complies with Saved UDP Policies ENV17, ENV18 and GP2, NE7 to NE9 of the Natural Environment SPD and the NPPF.

Ecology

The application is supported by an ecological survey which concludes that the site holds no locally significant habitats. The survey has advised that should the construction works not be carried out prior to March 2024, a further ecological survey of the site would be

required. A note to the applicant could be added accordingly. No further adverse impacts on the locally protected species are anticipated.

Overall, this proposal complies with Saved UDP Policy ENV23, BCCS Policy ENV1, SAD Policy EN1, NE1 to NE6 of the Natural Environment SPD and the NPPF.

Other matters

A number of local residents have raised a concern regarding the impact on the local school and medical services of this development. Taking into account the temporary nature of the proposed use and the limited number of persons who might occupy the site, it is anticipated that any demand for local services would be very low. This development would not have an adverse impact on local services. This position can however be reviewed at the end of the temporary 3 year permission.

Further concerns raised by residents regarding impacts on property value, political motivation in site selection and limitations in further investments into the town are not material planning considerations in the determination of this planning application.

Conclusions and Reasons for Decision

The application site is previously development land, which is situated in a residential area in a sustainable location. The principle of use of the site as a transit site for the Gypsy, Roma and Traveller communities for a temporary 3 year period is considered acceptable and in compliance with policies HC1 and HC4 of the SAD, policy HOU4 of BCCS and national Planning Policy for Traveller Sites.

The design and layout is considered appropriate and in compliance with saved UDP Policies GP2, ENV32, ENV33, T7 and T13, BCCS Policies CSP4, HOU4, ENV2 and ENV3, SAD Policy HC1, DW3 of the Designing Walsall SPD and the NPPF.

New access and parking arrangements would comply with saved policies GP2 and T13 of the UDP and the NPPF.

It is considered that the development would not have unacceptable adverse impacts on the amenities of the nearest and surrounding occupiers in compliance with Saved UDP Policy GP2, BCCS Policy ENV8, the Air Quality SPD and the NPPF.

Taking into account the above factors it is considered that the application should be recommended for approval subject to the conditions as set out in this report.

Positive and Proactive Working with the Applicant

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

Recommendation

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

- Re-consultation on an amended drainage scheme and refuse collection scheme to overcome consultee objections;
- No objections from the Lead Local Flood Authority and the Council's Clean and Green Team (Waste Management);
- No new material considerations being received within the consultation period; and
- The amendment and finalising of planning conditions.

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: This development shall not be carried out other than in conformity with the following approved plans and information:

- Location Plan (Drg. No. 21004-MEK-SK-002, rev. A)
- Red Line Boundary Plan (Drg. No. 21004-MET-SK-01, rev. A)
- Site Fencing (Drg. No. 21004-MET-HFE-DR-001, rev. B)
- General Arrangement (Drg. No. 21004-MET-HGN-DR-001, rev. D)
- Landscaping (Drg. No. 21004-MET-HLS-DR-001, rev. B)
- Pavement Details (Drg. No. 21004-MET-HPV-DE-001, rev. B)
- Signs and Road Marking (Drg. No. 21004-MET-HMK-DR-001, rev. B)
- Site Clearance (Drg. No. 21004-MET-HSC-DR-001, rev. B)
- Site Isopach Map (Drg. No. 21004-MET-HPV-DR-002, rev. B)
- Car and Caravan Vehicle Tracking (Drg. No. 21004-MET-TRK-DR-003, rev. B)
- Car and Caravan Vehicle Tracking Left/Right Turn Out (Drg. No. 21004-MET-TRK-DR-004, rev. B)
- Car and Caravan Vehicle Tracking Reverse Parking (Drg. No. 21004-MET-TRK-DR-005, rev. B)
- Car and Caravan Vehicle Tracking Reverse Parking (Drg. No. 21004-MET-TRP-DR-006, rev. 6, rev. B)
- Walsall Large Refuse Vehicle Tracking (Drg. No. 21004-MET-TRK-DR-001, rev. B)
- Walsall Large Refuse Vehicle Tracking Left/Right Turn Out (Drg. No. 21004-MET-TRK-DR-002, rev. B)
- Drainage, Service Ducts and Electrical Connections (Drg. No. 21004-MET-HDG-DR-001, rev. B)
- Manhole Drainage Detail (Drg. No. 21004-MET-HDG-DE-005, rev. B)
- Monoblock Channel Drainage Detail (Drg. No. 21004-MET-HDG-DE-004, rev. B)

- Portable Space Ltd: Steel Mains Shower (Drg. No. QF-030)
- Portable Space Ltd: Single Mains Toilet (Drg. No. QF-173)
- Footway Cross –Sectional and Kerb Details (Drg. No. 21004-MET-HKF-DE-001, rev. B)
- Drainage and Service Ducts Trench Details (Drg. No. 21004-MET-HGD-DE-001, rev. B)
- Drainage and Service Ducts Drawpit Details (Drg. No. 21004-MET-HDG-DE-003, rev. B)
- Service Ducts Trench, Y-Pipe Junction and Rodding Eye Details (Drg. No. 21004-MET-HDG-DE-002, rev. B)
- Kerbs, Footways and Paved Areas General Layout (Drg. No. 21004-Met-HKF-DR-001, rev. B)
- Road Pavements General Layout (Drg. No. 21004-MET-HPV-DR-001, rev. B)
- Bodpave TM 85 Paving Grids
- Sign Schedule And Sign Post Foundation (Drg. No. 21004-MET-HMK-DE-001, rev. B)
- Surface Water Drainage Catchment Areas (Drg. No. 21004-MET-HDG-DR-002, rev. B)
- Topographical Survey (Drg. No. RBS-21/2254/001)
- Contours (Drg. No. 21004-MET-HGN-DR-002, rev. B)
- Cross-Section North-South (Drg. No. 21004-MET-HGN-DR-007, rev. B)
- Cross-Section North-South (Drg. No. 21004-MET-HGN-DR-008, rev. B)
- Cross-Section North-South (Drg. No. 21004-MET-HGN-DR-009, rev. B)
- Cross-Section North-South (Drg. No. 21004-MET-HGN-DR-010, rev. B)
- Cross-Section West-East (Drg. No. 21004-MET-HGN-DR-003, rev. B)
- Cross-Section West-East (Drg. No. 21004-MET-HGN-DR-004, rev. B)
- Cross-Section West-East (Drg. No. 21004-MET-HGN-DR-005, rev. B)
- Temporary Transit Site Cross-Section West-East (Drg. No. 21004-MET-HGN-DR-006, rev. B)
- Transit Site Management Plan

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: The temporary use hereby permitted shall cease and the site shall be cleared of all associated temporary buildings, materials and equipment and restored to its former condition prior to the expiration of 3 years from the date of the site occupation.

Reason: In the interests of the visual amenities of the area and residential amenities in accordance with saved policies GPR2, ENV32 and ENV33 of Walsall's Unitary Development Plan, policy ENV3 of BSSC, policies HC4 and EN1 of SAD and NPPF.

4: The development hereby permitted shall be limited to six (6) caravan pitches for the Gypsy, Roma and Traveller community only.

Reason: To define the planning permission, in the interest of residential amenity and highway safety and in accordance with policies HC4 of SAD, policy HO4 and ENV3 of BCCS, saved policies GP2, ENV10, ENV32 and T13 of Walsall's Unitary Development Plan and NPPF.

5. The development hereby permitted shall not be carried out otherwise than in accordance with the approved document titled 'Transit Site Management Plan'.

Reason: in the interest of surrounding residential amenity, occupants of the site and highway safety and in accordance with saved policies GP2, ENV10, ENV32 and T13 of Walsall's Unitary Development Plan, policy ENV3 of BCCS and NPPF.

6a: The development hereby permitted shall not be brought into use until:

- a) all access ways, vehicle manoeuvring and hardstanding areas have been fully consolidated, hard surfaced and drained; and
- b) a vehicular footway crossing has been installed at the access point on Darlaston Road.

6b: The access, turning and parking areas and vehicular footway crossing shall thereafter be retained for the lifetime of the development

Reason: To ensure the safe and satisfactory operation of the site and in the interests of highway safety and in accordance with the saved UDP policies T7 and T13 and NPPF.

7: There shall be no vehicular access to the site from Narrow Lane except for emergency vehicles only.

Reason: Narrow Lane is considered unsatisfactory to provide vehicular access to the site, in the interests of highway safety and in accordance with the saved UDP policies T7 and T13 and NPPF.

8a: Prior to the commencement of development 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:

1. Construction working hours
2. Parking and turning facilities for vehicles of site operatives and visitors
3. Loading and unloading of materials
4. Storage of plant and materials used in constructing the development
5. A scheme for recycling/disposing of waste resulting from construction works
6. Temporary portacabins and welfare facilities for site operatives

7. Site security arrangements including hoardings
8. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway
9. Measures to prevent flying debris
10. Dust mitigation measures (particularly as the contaminated land investigation has indicated that land is contaminated)
11. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper).

8b: 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 and NPPF.

9: Prior to commencement of any site clearance and construction work of the development hereby permitted, tree protection fencing as detailed in '*British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations*' shall be erected around the retained trees on site and shall be retained until the completion of the development. The land so enclosed shall be kept clear of any materials and machinery at all times.

Reason: To safeguard the existing trees on the site in accordance with saved policy ENV18 of Walsall's Unitary Development Plan.

10a: Prior to the commencement of building operations above damp proof course of the development hereby permitted, details of the proposed boundary treatment of the site, including heights, positions and extents, materials and finishes of all walls, fences, gates or other means of enclosure, shall be submitted in writing to and approved in writing by the Local Planning Authority. The submitted details shall include all internal site divisions in addition to the perimeter boundary treatments and all gates shall be designed and installed so they cannot open outwards onto a highway.

10b: The development shall not be carried out otherwise than in accordance with the approved schedule and the boundary treatments shall thereafter be retained for the lifetime of the development.

10c: The development hereby permitted shall not be occupied until all boundary treatments have been erected in accordance with the approved schedule.

Reason: To ensure the satisfactory appearance and functioning of the development in accordance with the saved policies GP2 and ENV32 of the Walsall Unitary Development Plan and in the interest of highway and pedestrian safety in accordance with the saved UDP policies T7 and T13 of the Walsall Unitary Development Plan and NPPF.

11a: Prior to occupation of the development hereby permitted details of closed circuit television cameras (CCTV), including the proposed location of the cameras, mounting columns, proposals for the use and management of the system and proposals for its installation shall be submitted in writing to and approved in writing by the Local Planning Authority.

11b: The CCTV system shall be installed in accordance with the approved details and thereafter be retained as installed for the lifetime of the development.

Reason: In order to secure the satisfactory development and safeguard the amenity of the nearest residents and in accordance with saved policy GP2 and ENV32 of the Walsall Unitary Development Plan and NPPF.

12: Prior to commencement of the development hereby permitted details of replacement tree planting on a one for one basis for the trees lost to development (including species, size and location) shall be submitted in writing to and approved in writing by the Local Planning Authority. The trees shall thereafter be planted within one year of the commencement of this development.

Reason: To safeguard the future of the trees on site, to preserve and enhance the visual amenities of the locality accordance with Saved Policy ENV18 of the UDP and Conserving Walsall's Natural Environment SPD.

13a: Prior to the commencement of development hereby permitted drainage plans for the discharge of surface water and disposal of foul sewerage shall be submitted in writing to and approved in writing by the Local Planning Authority.

13b: 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.

13c: 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 BCCS Policy ENV5, saved Walsall's Unitary Development Plan policy GP2 and ENV40 and NPPF.

Notes for Applicant

Local 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 from the Highway Authority for the construction of the dropped kerb footway crossing within the public highway. For further information and application forms please visit the Council's webpage under Transport and Streets - Parking Roads and Vehicles.

Coal Authority

The development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

West Midlands Fire

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.

13.3 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.

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).

Water Supplies

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

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).

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 1, 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).

West Midlands Police

A virtual view indicates a corner of fenced off land. Alterations affect an environment requiring a review of security for the safety of residents. This would be more easily applied during construction work than retrospectively.

Existing entrance from Narrow Lane shall be available only for emergency use as it will be important to have one entry point.

No trees close to the perimeter fence to avoid climbing aids.

A path is indicated immediately bordering the north of the site from Narrow Lane to Old Pleck Road. This should be removed if possible. It is narrow and hidden creating vulnerability to users and will impact on the vulnerability of the site.

External LED lights with daylight sensors to external walls, toilets and showers.

Consider similar robust lighting to the electric and water supply points.
To assist lighting of those and potential entrances of any caravans at those points.
The development should be carried out using the principles of Secured By Design.

Below is a link to secured by design guides, police approved crime reduction information:
<https://www.securedbydesign.com/guidance/design-guides>

https://www.securedbydesign.com/images/downloads/SBD_Commercial_2015_V2.pdf

Secured By Design security standards are explained.

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

Severn Trent Water

Severn Trent Water advise that there is a public 225mm combined water sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact 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, when submitting 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 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

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.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 0345 266 7930.

Ecology

The applicant should note that if construction works are not completed to clear emerging vegetation before March 2024, an additional ecological report should be submitted for a future planning application after this date.

END OF OFFICERS REPORT