



### Planning Committee

Report of Head of Planning and Building Control on 20 June 2022

Plans List Item Number: 6

#### Reason for bringing to committee

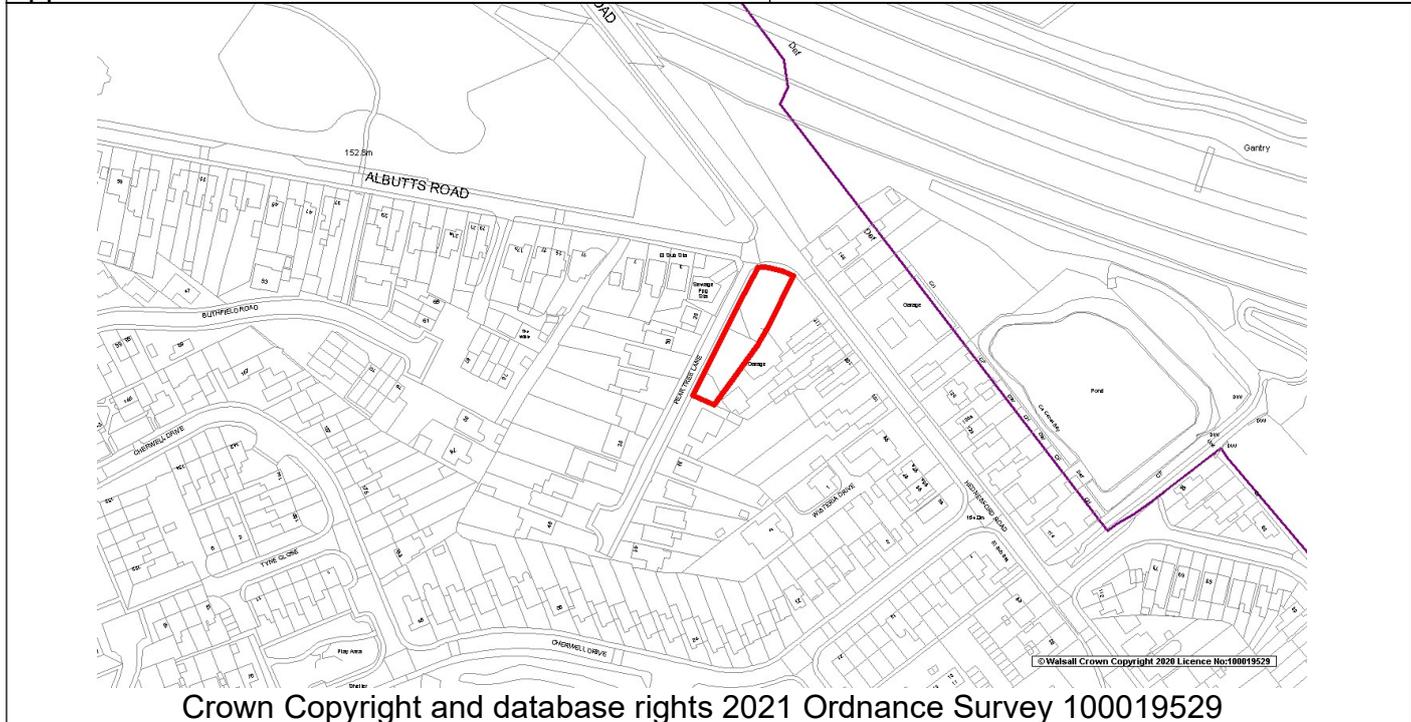
Significant Community Interest

#### Application Details

**Location:** LAND FORMER PEAR TREE COTTAGE INN, PEAR TREE LANE, BROWNHILLS

**Proposal:** RESERVED MATTERS FROM OUTLINE APPLICATION 21/1057 SEEKING CONSENT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR THE DEVELOPMENT OF 5NO 3 BEDROOM DWELLINGS (3 X 2.5 STOREY AND 2 X 2 STOREY), ASSOCIATED PRIVATE AMENITY SPACE AND PARKING.

<b>Application Number:</b> 21/1669	<b>Case Officer:</b> Helen Smith
<b>Applicant:</b> Mr A Jennings	<b>Ward:</b> Brownhills
<b>Agent:</b> Mr Scott Thompson	<b>Expired Date:</b> 08-Feb-2022
<b>Application Type:</b> Reserved Matters: Minor Application	<b>Time Extension Expiry:</b>



#### Recommendation

Grant Planning Permission Subject to Conditions and subject to

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

## Proposal

Reserved Matters following outline application 21/1057 approval, seeking consent for appearance, landscaping, layout, and scale for the development of 5 no 3 bedroom dwellings (3 x 2.5 storey and 2 x 2 storey), associated private amenity space and parking. Outline planning permission was granted in September 2021 in respect of access only.

Planning condition 2 of the Outline planning permission required details of the following for approval and which have been provided as part of this Reserved Matters application;

1. Appearance
2. Landscaping
3. Layout
4. Scale

### Plots 1, 2 & 3

Three new terraced dwellings (Plots 1 to 3) are proposed to the northern element of the application site with front elevations facing onto Albutts Road and positioned at right angles to Pear Tree Lane with the side wall of Plot no. 1 facing the highway.

These three houses would have front gardens with allocated communal parking to the rear. These houses would have a gable roof design, each having a single front facing dormer window, obscurely glazed gable hoods. The height of the houses (Plots 1 to 3) would measure 8.77 metres high and two obscurely glazed side facing windows would be installed in plot no. 1 facing onto Pear Tree Lane to create an active frontage.

Each house would include a lounge/dining room, kitchen, hall, W.C. two bedrooms, bathroom, and study at first floor with a bedroom and en suite within the roof void.

Private rear gardens to serve each dwelling house are proposed each measuring;

Plot 1 = 49.4 sq. metres

Plot 2 = 46.6 sq. metres

Plot 3 = 51.6 sq. metres

Bin access is proposed to the rear of the properties with gated access into the rear gardens where bins are to be stored. New tree planting is proposed within each rear garden.

A 2 metres high brick screen wall is proposed along the western garden boundary of plot no. 1 fronting the public footpath. A 2.0m high acoustic fence is proposed along the eastern boundary to reduce potential noise from the adjoining car repair business

## Plots 4 & 5

This pair of semi-detached houses sit to the south-west of plot no's 1, 2 and 3 with frontages that face onto the central parking area. There would be a 1.2 metres wide paved gap between the proposed front elevations and allocated parking spaces.

The side elevation of plot 5 would front Pear Tree Lane and side facing windows have been added to the plans to create an active frontage.

These two houses would have a gable roof and these dwellings would be 8.6 metres high.

These two houses would each include a kitchen/dining area, lounge, W.C., 3 bedrooms, bathroom and en suite.

There would be a proposed habitable room window to window separation distance of 28.4 metres between rear windows in plot no's 1, 2 and 3 and front windows in plot no's 4 and 5.

2 new trees are proposed on plots 4 and 5, and private rear gardens would each measure;

Plot 4 = 56.4 sq. metres

Plot 5 = 55.5 sq. metres

Bins would be stored within the private rear gardens with gated access. Plot no. 5 would have a gated access onto Pear Tree Lane.

A 2 metres high brick acoustic screen wall is proposed along the western garden boundary of Plot no. 5 fronting the public footpath. The eastern boundary for Plot no. 4 includes an existing screen wall and a new 2 metres high screen fence added on plot side.

A pedestrian visibility splay would be included on Plot no. 5 adjacent to the drive access to 31 Pear Tree Lane.

The proposal includes 10 allocated off-street parking spaces, with a porous block paved surfaced, parking area that would be overlooked by the proposed houses on plot's 4 and 5. Parking bays would be line marked.

28 Pear Tree Lane faces across the road to the proposed parking area on the site.

31 Pear Tree Lane sits to the south of the plot with a side facing obscurely glazed non-habitable room window and a vehicle driveway next to the site.

32 Pear Tree Lane would face the side gable of proposed plot no. 5 across a separation distance of 22 metres.

115 Hednesford Road would face the side gable of proposed plot no. 3 across a separation distance of 16 metres.

The proposed materials to be used in the development are as follows;

- Edilians Double HP20 Large Format Interlocking Clay Tile, Colour Slate
- Ibstock New Cavendish Stock Bricks
- Smooth red plinth brick to cills
- Smooth red engineering detail brick
- Riven grey slabs to paths and patios
- Charcoal porous block paving to parking
- Anthracite grey upvc windows and doors
- Black rainwater goods
- Lead finish to dormers

The application is supported by the following documents;

- Drainage Strategy
- Environmental Database Search
- Ground Investigation Report
- Materials Schedule
- Noise Impact Assessment

## Site and Surroundings

The former Pear Tree Cottage Inn was situated on the corner of Pear Tree Lane, Albutts Road and Hednesford Road, in a predominately residential area of Brownhills West. The site formally comprised a public house with car park to the rear that has now been demolished.

The nearest centre is Brownhills District Centre is approximately 2km to the south east. To the north of the site is the M6 Toll Motorway and the boundary of the borough and Chase Water beyond. Land to the north of Albutts Road and west of Hednesford Road is included within the Green Belt, while Pear Tree Lane and the site is excluded.

Properties along Hednesford Road vary between two-storey houses opposite the site to larger two-storey houses with rooms in the roof (these have quite a deep span from front to back resulting in taller ridge heights approximately 8.5m high). There is also a vehicle repair business immediately adjacent to the site with a significant amount of outdoor vehicle storage. There is also an unused petrol filling station on the opposite side of Hednesford Road currently in use as a car wash. These uses plus the vacant application site combine to give a mixed character to the area.

Properties nearer to the site on the streets leading off Hednesford Rd are lower in height, with a number of bungalows, chalet style houses and two-storey houses nearby. There is also a Severn Trent Water pumping station directly opposite the site on the corner of Pear Tree Lane and Allbutts Road.

No. 31 Pear Tree Lane sits to the south of the application site and has a drive access immediately next to the rear boundary.

The site comprises a relatively narrow rectangular plot and is surrounded by a combination of

two-storey houses and bungalows. Access to the site is via the existing dropped kerb to the rear car park off Pear Tree Lane. The site has been cleared and is mostly covered by hardstanding.

There are bus stops along Hednesford Road within a 2 minute walk from the application site served by bus route number 3.

The site is a Coal Development Low Risk Area.

## Relevant Planning History

21/1057 - Outline planning permission for the construction of 5 no. dwellings (3 x 2.5 Storey and 2 x 2 Storey), alterations to existing access and provision of parking spaces - Access only to be considered – GSC 13/9/21

14/0874/OL, Outline application for a food convenience retail store (A1) with access only for consideration. 2014-06-16, Non Determination Subject to Appeal, 2015-04-20, Appeal Dismissed, 2015-04-20. The reasons given can be summarised as follows:

*The proposed development would adversely affect the safe operation of the local highway network, given the location of the site on an awkward junction and siting of the proposed access. Accordingly, the development would fail to comply with the main aims of CS Policies TRAN1 and TRAN2 and UDP Policy T4, and the objectives of paragraph 32 to the Framework.*

12/0810/PD Prior Notification of Demolition of public house, Demolition Approved, 2012-07-24

12/0671/FL Demolition of public house and erection of retail unit (Food Retail A1), Refuse Permission, 2012-07-25. Reasons for refusal were as follows:

*1. The proposed retail unit through its design and use of materials will have a detrimental impact on the streetscene and the character of the area by virtue of it not providing animation, variety, or interest at the street level. It will result in a building which is bland, uninspiring in appearance and which does not recognise or mark its importance and prominence within the streetscape. The scale and massing of the proposed building does not represent or replicate the former Pear Tree Cottage which is considered necessary to address this local site and corner within the overall town/streetscape.*

*As such and on balance the proposed retail development is considered to be inconsistent with the National Planning Policy Framework and sustainable development and does not meet the aims and objectives of the Black Country Core Strategy policies ENV3, CEN6 and CEN7, Unitary Development Plan policies GP2 and ENV32, and Designing Walsall Supplementary Planning Document*

*2. The proposed new retail unit fails to ensure that the scheme will not have any detrimental impact on highway safety and in particular it has failed to demonstrate the following aspects:*

- 1. Failed to provide a satisfactory Transport Statement in accordance with DfT Guidance on Transport Assessment*

2. *The proposed level of car parking does not comply with UDP Policy T13 which requires 27 car parking spaces for food retail and 19 for non-food.*
3. *Car parking spaces 10 and 11 are not accessible as they reduce the required 6m aisle width required for vehicles to manoeuvre in/out of spaces 1 to 6.*
4. *Customers are likely to park on Hednesford Road at the front, particularly as the car park cannot be seen from Hednesford Road.*
5. *The level of disabled car parking to comply with policy is an additional 10% which equates to either 3 or 2 depending on whether the retail is food or non-food, respectively.*
6. *Drawing 012012/3 does not demonstrate that there is sufficient space for the delivery vehicle to manoeuvre such that it would leave the site in a forward gear.*
7. *No pedestrian access routes have been shown.*

*In view of the above the application has failed to demonstrate that it will not have a detrimental impact on the free flow and safety of both pedestrians and vehicular traffic on the existing highway. As such and on balance the proposed retail development is considered to be inconsistent Unitary Development Plan policies T7 and T13.*

## Relevant Policies

### **National Planning Policy Framework (NPPF)**

[www.gov.uk/guidance/national-planning-policy-framework](http://www.gov.uk/guidance/national-planning-policy-framework)

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

**Key provisions** of the NPPF relevant in this case:

- **NPPF 2 – Achieving sustainable development**
- **NPPF 4 – Decision Making**
- **NPPF 5 – Delivering a sufficient supply of homes**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**

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

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

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

encouraged.

### **National Planning Policy Guidance**

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

### **Reducing Inequalities**

The Equality Act 2010 (the '2010 Act ') sets out 9 protected characteristics which should be taken into account in all decision making. Of these protected characteristics, disability and age are perhaps where planning and development have the most impact.

### **Development Plan**

[www.go.walsall.gov.uk/planning\\_policy](http://www.go.walsall.gov.uk/planning_policy)

### **Saved Policies of Walsall Unitary Development Plan**

- GP2: Environmental Protection
- GP5: Equal Opportunities
- GP6: Disabled People
- ENV10: Pollution
- ENV14: Development of Derelict and Previously-Developed Sites
- ENV17: New Planting
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- T7 - Car Parking
- T13: Parking Provision for Cars, Cycles and Taxis
- LC8: Local Community Facilities

### **Black Country Core Strategy**

- Vision, Sustainability Principles and Spatial Objectives
- CSP4: Place Making
- HOU1: Delivering Sustainable Housing Growth
- HOU2: Housing Density, Type and Accessibility
- HOU3: Delivering Affordable Housing
- TRAN2: Managing Transport Impacts of New Development
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV8: Air Quality

### **Walsall Site Allocation Document 2019**

HC2: Development of Other Land for Housing

GB1: Green Belt Boundary and Control of Development in the Green Belt

T4: The Highway Network

## Supplementary Planning Document

### Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW7 Diversity
- DW8 Adaptability
- DW10 Well Designed Sustainable Buildings

### Air Quality SPD

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

## Consultation Replies

**Archaeology** – To be updated at planning committee

**Conservation Officer** – No specific conservation objections

**Designing Out Crime, Police** – No objections and recommend the principles of Secure by Design.

**Environmental Protection** – No objections subject to the inclusion of planning conditions in respect of noise, ground gas, air quality and the inclusion of a construction environmental management plan along with informative notes if approved.

**Fire Officer** – No objections subject to compliance with Approved Document B, Volume 1, Dwellings, 2019 edition incorporating 2020 amendments – for use in England. An informative note can be included for the applicant if approved.

**Local Highway Authority** – No objections subject to planning conditions in respect of hard-surfacing and drainage of the parking area, demarcation of parking bays, vehicle footway crossing, no planting that exceeds 600mm within the pedestrian visibility splay envelope next to 31 Pear Tree Lane, and boundary treatment in respect of plot no's 1,2 and 3.

**Severn Trent Water** – No objections in respect of the proposed drainage strategy plan (drawing 500A)

## Strategic Planning Policy – No objections

**Tree Officer** – Objections to the proposed types of planting proposed however a landscaping condition can be included to require a revised scheme

### Representations

*(Planning Officers' comments in italics and brackets)*

Objections have been received from four households on the following grounds;

- Highway/pedestrian visibility splay and access next to 31 Pear Tree Lane from boundary wall and fencing
- New trees will overhang 31 Pear Tree Lane, and this is unacceptable
- Devalue properties *(not a material planning consideration in this instance)*
- Health and Safety Risk Assessment needed for the public interface *(the Local Highway Authority has no objections on highway safety grounds)*
- Interference to life, property, and assets of neighbour without any response from the Local Planning Authority *(all planning proposals have an impact on neighbours however safeguarding conditions can be included if approved. The Local Planning Authority is unable to respond individually to residents' comments on planning applications because of the high numbers received. This is explained in the neighbour notification letter)*
- Two storey houses not on the original plans *(the current proposal is assessed as presented and the previous application was for outline permission only with only access being considered)*
- Impact on light to front of bungalows
- Eyesore and out of keeping with bungalows in the lane
- Highway safety
- Lack of parking
- Access to the lane should not be impaired *(The local highway authority has no objections to the proposal and access to the site was agreed at outline stage)*

### Determining Issues

- Principle of development
- Design and Character of the Area
- Amenity
- Noise
- Ground Conditions
- Air Quality
- Ecology
- Landscaping
- Parking and Access
- Local Finance Considerations

### Assessment of the Proposal

#### Principle of Development

The principle of residential development on the application site was considered by the outline planning application and was considered acceptable as the proposal offers the opportunity to make better use of urban land, efficient use of the existing infrastructure and reclaim a derelict

site in accordance with policies GP1 and ENV14.

Policy LC8 regarding loss of community facility is no longer applicable as the public house has already been removed.

The site is previously developed, and the character of the area is predominantly residential houses. The proposal offers the opportunity to make better use of urban land, efficient use of the existing infrastructure and reclaim a derelict site in accordance with policies GP1 and ENV14. On this basis proposed redevelopment of this derelict site is considered acceptable in principle.

The latest available figures show that the Council does not currently have a 5 year housing land supply, and, in addition, the Council failed the Housing Delivery Test published in January 2022 based on low levels of delivery over the last 3 years. This means that the presumption in favour of sustainable development as described in the NPPF paragraph 11d is in effect.

### **Design and Character of the Area**

The submitted site layout shows that the proposed plots 4 and 5 to the rear of the site would be built to two storeys or 8.6 metres high to the ridge and accommodate two no. three bed roomed dwellings, while plots 1 to 3 would be at 2.5 storeys or 8.77 metres high to the ridge where the frontage is onto Hednesford Road.

Existing residential properties located on Pear Tree Lane, Albutts Road and Hednesford Road have a mixed character consisting of bungalows, two storey semi-detached and terraced houses of varying design and age along with a car sales and separate car wash facility at a former petrol station on Hednesford Road.

The proposed new dwellings would be characteristic of others in the area with front and rear gardens and whilst the urban layout differs from the existing street pattern on Pear Tree Lane it is considered the proposed plots 1 to 3 would have a similar orientation to existing houses fronting Hednesford Road and Albutts Road.

Existing properties to the rear of the site are generally lower with some 1.5 storey and single storey bungalows whilst along Hednesford Road the buildings are higher and more intensively developed.

Plots 1 to 3 would be taller than plots 4 to 5 at the rear and it is considered that these three properties would create a landmark entrance to the area when travelling over the M6 Toll over-bridge and into Brownhills to the south. A street scene drawing has been provided which demonstrates the relationship of the proposed new dwellings with 115 and 117 Hednesford Road and 31 Pear Tree Lane.

The proposed exterior facing materials are considered to be acceptable and the overall scale of the development appropriate for this location.

The proposal is considered would integrate with the existing established and mixed character of the area, integrating well into the surroundings and bringing a derelict site back into use.

## **Amenity**

The housing has been arranged so that in the main the principle elevations are oriented to look outwards towards the surrounding streets or ensure that the central parking court is well overlooked. To avoid blank frontages facing public spaces/routes, secondary windows have been added into the gable elevations of houses that abut Pear Tree Lane.

Where rear garden boundaries abut Pear Tree Lane, a 2 metres high feature brick wall is proposed which would provide additional privacy and acoustic insulation and would reduce maintenance than if wooden fences are provided directly abutting public footways.

A 2.0m high acoustic fence is proposed along the eastern boundary to reduce potential noise from the adjoining car repair business. The applicants have provided a detailed Acoustic Assessment that provides for mitigation the potential noise impacts of the surrounding commercial development and planning conditions have been recommended to ensure that appropriate boundary treatment and acoustic measures required for any future occupants of the property are provided.

The gross internal floor area of plots 1 to 3 exceeds the recommended minimum National Space Standard of 90 sq. metres per house at 98.5 sq. metres per plot. Plots 4 and 5 would be marginally less than the recommended minimum National Space Standard of 93 sq. metres with a gross internal floor area of 82.2 sq. metres each however this shortfall is considered to be minor and on balance is acceptable.

The layout also shows private amenity space of between 49.4 and 56.4 sq. metres. This provision is slightly below the minimum recommended size of 68 sq. metres per dwelling, as referred to in Appendix D of Designing Walsall Supplementary Planning Document. On reviewing this shortfall, it is considered that the proposed garden sizes it is in line with the mixed pattern of development seen in the area and would still allow for a reasonable standard of amenity for prospective occupants. Consequently, it is considered that the proposed layout plan successfully demonstrates that an acceptable layout could be provided on the site to accommodate the proposal.

The proposal would sit to the north of 31 Pear Tree Lane and it is considered that this orientation would result in this proposal having a limited impact on residents existing light.

The proposed extensions meet the separation distances recommended in Appendix D of SPD Designing Walsall and is considered would not cause any significant harm to the residential amenities of neighbouring properties in terms of outlook, privacy or daylight.

Side facing windows in plots 1 and 5 would be obscurely glazed and can be conditioned to remain as such with any opening parts 1.7 metres higher than the floor of the rooms they serve to ensure privacy for residents.

The construction of new dwelling houses will often result in some noise and disturbance to neighbours' but as this proposal is for 5 dwellings it is considered unlikely that a development of this small scale will have a significant impact on existing Pear Tree Lane occupiers.

To protect residents' amenity, it is recommended that permitted development rights are removed, if the scheme is approved.

### **Noise**

The Council's Environmental Protection Team has advised that the Environmental Noise Impact Report, Sound Testing Acoustic Consultancy, Ref 15365 Version 1 28 March 2022, has in general terms met the requirements of condition 4a of the outline planning permission (reference no. 21/1057).

The remaining parts of condition 4 of the outline permission (parts b, c and d) are considered should remain in place and be carried forward to the reserved matters planning application if approved. In particular the applicant must provide an acoustic mitigation scheme confirming that the remedial measures set out in the submitted report will be implemented.

It is noted, the submitted assessment has indicated that no noise was identified as emanating from the adjacent commercial garage premises. For this reason, it is important that the submitted scheme includes installation of the walls and acoustic fencing detailed in the Proposed Site Plan and Planting, drawing number 392/PD/01 Rev. C, deposited 6/6/22

### **Ground Conditions**

The Council's Environmental Protection Team has advised that the submitted Phase 1 Desk Study & Phase 2 Ground Investigation April 2022 Report No P22016/01 Spilman Associates meets the requirements of condition 6a and 6b of the outline planning permission (reference no. 21/1057). However, the remaining parts of condition 6 (parts c, d, e, f) must remain in place and be carried forward to any planning permission for reserved matters granted.

### **Air Quality**

The Council's Environmental Protection Team consider that as no information in relation to planning condition no. 5 of the outline planning permission (reference no. 21/1057) has been provided then this should be carried forward to any reserved matters planning permission, if granted. This condition required the submission of an Air Quality Low Emission Scheme to be provided and approved to install electric-vehicle charging points and Ultra-Low NOx boilers into the proposed development.

Furthermore, the provision of a Construction Environmental Management Plan shall be required as there are residential properties in close proximity to the application site.

The site is not located in an area where air quality is likely to exceed current targets or recommended future targets. On this basis Environmental Protection do not consider that an Air Quality Assessment is required for this development. However, they do have concerns regarding the potential impact on local air quality associated with the installation and use of solid fuel heating appliances and a planning condition in respect of this should be included if approved.

### **Ecology**

The proposal includes ecological enhancements to the site which include new tree planting, the installation of brick bat boxes by Ibstock to the gable ends and bird boxes fitted to the walls.

### **Landscaping**

The proposal includes new tree planting in private rear amenity areas serving each new house. The proposed trees include Silver Birch, Rowan Sorbus Hybrida Gibbsii and Acer Campestre Louisa Red Shine. The Council's Tree Officer has advised that revisions will be required to the proposed planting scheme and has commented on the suitability of planting species as follows;

- Rowan Sorbus Hybrida Gibbsii (front of Plot 2) - species and location are acceptable
- Rowan Sorbus Hybrida Gibbsii (rear of Plot 2) - species and location are acceptable
- Silver Birch (Plots 1 and 3) -species not acceptable however locations are acceptable
- Silver Birch (Plot 4) - species not acceptable, location is acceptable but not a tall growing tree as it would be too close to neighbours. A small growing tree would be required (e.g. Acer griseum, Magnolia sp, Cercis siliquastrum, Kornus kousa, Cercidiphyllum japonicum, et al)
- Acer campestre "Louisa red Shine" (Plot 5)- species and location are acceptable

To address these concerns a planning condition can be included requiring revisions to the proposed landscaping scheme (drawing no. 392/PD/01 Rev. C)

### **Parking and Access**

The site layout plan shows a single access off Pear Tree Lane into the car park. This is a similar arrangement to the existing access that was in place for the former Pear Tree Cottage Inn on the site. The Local Highway Authority has provided comments indicating that the access arrangement is acceptable as it will not have severe transport implications on the local highway network.

The proposal included a 2 metres high fence immediately to the back of footway extending up to the vehicle access to 31 Pear Tree Lane however this design has been revised to include a 2.4metres by 3.4 metres pedestrian visibility splay to provide adequate pedestrian inter-visibility at the existing access to 31 Pear Tree Lane and it is considered that the impact on the rear garden size at plot 5 would be minimal. A planning condition will be required that no vegetation or planting exceeds 600mm in height at any time within the splay envelope next to no. 31.

The Local Highways Authority have raised no objections to the proposed parking access and layout and the submitted proposed parking arrangement has sufficiently demonstrated that an acceptable level of parking could be provided on the site. The indicative plans show parking for 10 cars which would provide 2 spaces per dwelling in accordance with saved UDP T13 parking policy, and the central parking court will provide natural surveillance and be overlooked.

It is proposed to make use of permeable surfacing will be used in the construction of the Car Park, which is supported subject to a condition to prevent any discharge of surface water onto the highway.

The development has been supported by the Local Highway Authority and it is considered that the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF paragraph 111 (2021).

### **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 five new homes.

The Government has indicated that, for 2021-22, it will award £350 for each affordable dwelling, but the payment for all new homes (including both affordable and others) varies. There is no fixed payment of £1,000 per home: the sum will vary from £0 to an undisclosed figure. Essentially there is a fixed pot of money each year that is divided between all authorities depending on how many homes in total have been completed across the country.

The money is worked out based on performance in previous years (18 months in arrears), so the payment in 2022-23 will be based on the number of homes completed between October 2020 and October 2021.

## **Conclusions and Reasons for Decision**

The principle of residential development on the site is considered acceptable as the proposal offers the opportunity to make better use of urban land, efficient use of the existing infrastructure and reclaim a derelict site in accordance with policies GP1 and ENV14.

The proposed access and parking provisions have been supported by the Local Highway Authority.

The application has successfully demonstrated that the development proposed can be accommodated on the site, in a manner in line with the character of the area and without undue impact on the amenity of surrounding occupiers.

This proposal is therefore considered to be acceptable and in accordance with local and national planning policies and guidance set out in this report.

The latest available figures show that the Council does not currently have a 5 year housing land supply, and, in addition, the Council failed the Housing Delivery Test published in January 2022 based on low levels of delivery over the last 3 years. This means that the presumption in favour of sustainable development as described in the NPPF paragraph 11d) is in effect.

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

The economic and social benefits in this instance are considered would not have an unacceptable impact on the environment.

## **Positive and Proactive Working with the Applicant**

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

## Recommendation

### 1. Grant Planning Permission Subject to Conditions and subject to

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

## Conditions and Reasons

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

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

2: The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans details and documents: -

- Site Survey/Location Plan, drawing no. 392/PD/10, deposited 24/11/21
- Materials, drawing no. 392/PD/MAT, deposited 24/11/21
- Drainage Strategy, drawing no. 500 Rev. A, deposited 31/03/22
- Floor Plans, drawing no. 392/PD/100A, deposited 8/4/22
- Plots 1-3 Elevations, drawing no. 392/PD/300 Rev. A, deposited 8/4/22
- Plots 4-5 Elevations, drawing no. 392/PD/400 Rev. A, deposited 08/04/22
- Proposed Site Plan and Planting (including Street Scene), drawing number 392/PD/01 Rev. C, deposited 6/6/22

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

3: a) Prior to the commencement of development hereby permitted a Construction Environmental Management Statement shall be submitted in writing to and approved in writing by the Local Planning Authority. The Construction Environmental Management Statement shall include:

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 porta cabins 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)
12. Noise and vibration mitigation measures

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

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

4: a) Prior to the commencement of the development hereby permitted, an Acoustic Mitigation Scheme which put forward measures to mitigate identified noise revealed in the Acoustic Assessment shall be submitted in writing to and approved in writing by the Local Planning Authority.

4: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the approved details shall thereafter be retained for the lifetime of the development.

4: d) Prior to occupation of the development hereby permitted a Validation Statement demonstrating the agreed measures have been installed shall be submitted in writing to and approved in writing by the Local Planning Authority.

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

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

5: b) The remedial measures as set out in the 'Remediation Statement' required by part a) of this condition shall be implemented in accordance with the agreed timetable.

5: c) If during the undertaking of remedial works or the construction of the approved development, unexpected ground contamination, not identified by the site investigation, desk

study and site reconnaissance is encountered, development shall cease. The 'Remediation Statement' required by part a) of this condition shall be amended to address any additional remedial or mitigation works required and agreed in writing by the Local Planning Authority.

5: d) A validation report confirming the details of the measures implemented together with substantiating information and justification of any changes from the agreed remedial arrangements shall be submitted to and accepted in writing by the Local Planning

Reason: To prevent potential contamination of the ground due to any potentially hazardous materials associated with the buildings or their previous use in accordance with saved policies GP2 and ENV14 of Walsall's Unitary Development Plan

6: a) Prior to the commencement of the development hereby permitted Air Quality Low Emission Scheme shall be submitted in writing to and approved in writing by the Local Planning Authority, to install electric-vehicle charging points and Ultra-Low NOx boilers.

6: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the approved details shall thereafter be retained for the lifetime of the development.

6: c) Prior to the first occupation of the development hereby permitted a Validation Statement demonstrating the agreed measures have been implemented submitted in writing to and approved in writing by the Local Planning Authority

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

7: a) Notwithstanding the details as submitted and prior to commencement of the development hereby permitted details of an amended landscaping scheme including both hard and soft landscape works, and earthworks shall be submitted in writing to and approved in writing by the Local Planning Authority.

7: b) Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.

7: c) If within a period of 5 years from the date of the planting of any trees shrubs or plants, that tree shrub or plant, or any tree shrub or plant planted in replacement for it, is removed, uprooted, destroyed or dies and or becomes seriously damaged or diseased in that period another tree shrub or plant of the same species and size as that originally planted shall be planted at the same place.

Reason: In the interests of the visual amenities of the area in accordance with saved policies ENV17, ENV18 and ENV33 of Walsall's Unitary Development Plan

8: a) 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.

8: b) 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.

8: c) 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.

9: a) Prior to commencement of any building operations above the damp proof course of the development hereby permitted details of the proposed finished floor levels, ridge and eaves heights of the buildings hereby permitted shall be submitted in writing to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves, and ridge heights of surrounding properties.

9: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and thereafter retained for the lifetime of the development.

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

10: a) Prior to occupation of the development hereby permitted, the car parking area shall be consolidated and hard surfaced in tarmacadam or similar material and drained so that surface water run-off from these areas does not discharge onto the highway or into any highway drain, together with the clear demarcation of the parking bays.

10: b) The parking area shall thereafter be retained and used for no other purpose for the lifetime of the development.

Reason: To ensure the safe and satisfactory operation of the development and in accordance with UDP policy GP2, T7 and T13.

11: Prior to occupation of Plot no's 1 to 3 of the development hereby permitted, the frontage boundary treatment shall be implemented in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To ensure the satisfactory completion of the development and to prevent vehicular access to the plot frontages in the interests of highway safety and saved UDP policies GP2 and

ENV2.

12. Prior to occupation of the development hereby permitted until a vehicle footway crossing point to align with the new access, together with the removal and reinstatement back to full kerb height of the two existing dropped kerbs access points, made redundant under the development, shall be implemented and thereafter retained for the lifetime of the development.

Reason: To ensure the safe and satisfactory operation of the development and in accordance with UDP policy GP2, T7 and T13.

13: a) Prior to occupation of the development hereby permitted, details of any solid fuel stove, fire and heating appliance and associated chimney and flue arrangements and their proposed installations shall be submitted in writing to, and approved in writing by, the local planning authority.

13: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the approved details shall thereafter be retained for the lifetime of the development. No additional solid fuel stove, fire or heating appliance or associated chimney or flue shall be installed.

Reasons: To ensure the development will function well and safeguard a high standard of amenity for existing and future users, to ensure the development does not contribute to unacceptable air pollution and to ensure the development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health and living conditions in accordance with saved UDP policy ENV10 and the Air Quality SPD

14: Notwithstanding the information shown on submitted plans, the development hereby permitted shall not be carried out otherwise than to meet the following minimum-security measures and thereafter the security measures shall be retained;

- All external doors to individual dwellings to be PAS24; 2016 compliant with a door viewer, door limiter and a maximum aperture of 260mm x 40mm letter plate
- All ground floor windows and over accessible roofs to be PAS24; 2016
- All ground floor windows and over accessible roofs including French doors and patio doors to have not less than one pane of 6.4mm laminated glass.
- No Lead or metal shall be used on the ground floor.
- External LED lights with daylight and movement sensors to be provided at all external entrances.
- All the dwellings shall be suitably with an intruder alarm by a registered SSAIB or NSI engineer to British Standard (BS EN 50131 Grade 2)
- All energy meters shall be placed at the front of the dwellings

Reason: To ensure the safety and security of the development and its occupiers in compliance with NPPF 12 and saved policy ENV32 of Walsall's Unitary Development Plan.

15: a) Prior to the installation of any external lighting on the site of the hereby permitted development until details of the lighting including, its positions, the intensity of illumination and predicted lighting contours have been submitted in writing to and approved in writing by the Local Planning Authority.

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

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

16: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revising, revoking or succeeding that Order with or without modification, no extensions or additions as defined by Schedule 2, Part 1 development within the curtilage of a dwelling house;

- Class A (enlargement, improvement or other alterations),
- Class AA enlargement of a dwellinghouse by construction of additional storeys
- Class B (additions to the roof),
- Class C (other alterations to the roof),
- Class D (porches),
- Class E (building incidental to the enjoyment of a dwelling house),
- Class G (chimneys, flues),

shall be installed in any part of this development.

Reason: To safeguard the amenities of the occupiers of adjoining premises and to comply with saved policies GP2 and ENV32 of the Walsall Unitary Development Plan.

17: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revising, revoking or succeeding that Order with or without modification, no additional side facing windows, doors, or other openings other than those shown on the approved plans, shall be installed in any part of this development.

Reason: To safeguard the amenities of the occupiers of adjoining premises and to comply with saved policy GP2 of the Walsall's Unitary Development Plan.

18: Notwithstanding the details submitted of the development hereby permitted and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revising, revoking or succeeding that Order with or without modification, the proposed side facing windows shall be obscure glazed to Pilkington (or equivalent) privacy level 4 and there shall be no opening parts lower than 1.7metres from the floor level of the rooms they serve and the windows shall thereafter be retained for the lifetime of the development.

Reason: To safeguard the amenities of the neighbours and to comply with saved policy GP2 of the Walsall Unitary Development Plan.

19: Notwithstanding the details submitted the pedestrian visibility splay envelope next to 31 Pear Tree Lane shall not have any structures and/or planting exceeding 600mm in height above footway levels for the lifetime of the development

Reason: To ensure the safe and satisfactory operation of the development and in accordance with UDP policy GP2, T7 and T13.

## **Notes for Applicant**

### **Local Highways Authority Informative Note**

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. For the footway crossing works in the public highway the developer must enter into an Agreement with the Highway Authority under S38/278 of the Highways Act 1980 or alternatively obtain a Road Opening Permit. For further advice please contact Highway Development Control Team at [Stephen.Pittaway@walsall.gov.uk](mailto:Stephen.Pittaway@walsall.gov.uk)
3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. All works within the public highway shall be in accordance with all statutory requirements.
4. The visibility splay envelope next to 31 Pear Tree Lane shall be clear of all structures and planting exceeding 600mm in height above footway levels

### **Designing Out Crime Officer – Police Informative Notes**

Suitable lighting will provide some security. External LED lights with daylight sensors to the external walls, particularly by entrances and lighting to parking areas.

Alarm and cctv installers should be approved by NSI, SSAIB or both please see <https://www.nsi.org.uk/> and <https://ssaib.org/>

Recommend security using the principles of Secured By Design.

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

[https://www.securedbydesign.com/images/downloads/HOMES\\_BROCHURE\\_2019\\_NEW\\_version\\_2.pdf](https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NEW_version_2.pdf)

Dwelling entrance door-sets (SBD Homes 2019 page 29, 21.1-8).

PAS 24: 2016 standard doors for houses and apartments.

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

Combined fire resistance with security.(See SBD Brochure page 5, 5).

[https://www.securedbydesign.com/images/downloads/DOORSET\\_BROCHURE\\_200319.pdf](https://www.securedbydesign.com/images/downloads/DOORSET_BROCHURE_200319.pdf)

Cycle stores, approved products. (SBD Homes 2019 page 68, 56).

## **Fire Officer Informative Notes**

### **Approved Document B, Volume 1, Dwellings, 2019 edition incorporating 2020 amendments – for use in England**

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](mailto: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)

### **Severn Trent Water Informative Note**

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contact our Development Services Team (Tel: 0800 707 6600).

### **Environmental Protection Informative Notes**

#### **Contaminated Land:**

##### **CL1**

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

##### **CL2**

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

##### **CL3**

Validation reports will need to contain details of the 'as installed' remediation or mitigation works agreed with the Local Planning Authority. For example, photographs of earth works, capping systems, ground gas membranes, and structure details should be provided.

Copies of laboratory analysis reports for imported 'clean cover' materials, manufacturer's specification sheets for any materials or systems employed together with certification of their successful installation should also be submitted. Where appropriate, records and results of any post remediation ground gas testing should be included in validation reports. This note is not prescriptive and any validation report must be relevant to specific remedial measures agreed with the Local Planning Authority.

Details of works to be implemented must be verified and underwritten by a specialist consultant, so that there can be no confusion or anomalies once work commences on site. Final details of any product(s) and measures, their suitability to address site specific conditions and method(s) of installation must be confirmed with the Building Regulation authority overseeing the development. Satisfactory design and installation should then be verified by the Building Regulation authority and/or by an appropriate person having suitable experience, qualifications and competencies.

In particular it is important to ensure that any post development alterations or adaptations to any structure do not impair or reduce the effectiveness of the installed ground gas protection measures and systems.

It is the responsibility of the developer to ensure that they comply with the requirements of Contaminated Land, Health & Safety, Waste Management, Environmental Damage and the Control of Asbestos Regulations. The responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by this Local Planning Authority, lies with the owner/developer of the site.

#### CL4

The desk study and site reconnaissance shall have regard to previous unknown filled ground and materials used and processes carried on. A further detail on the matters to be addressed is available in 'Model Procedures for the Management of Contamination' (CLR 11, DEFRA/Environment Agency). The results of the desk study and reconnaissance will be used to determine the need for further site investigation and remediation.

### **Air Quality Supplementary Planning Document**

Air Quality SPD (Section 5.6) advises the following about Electric Vehicle Charging Points: The electric vehicle charging point provision for residential premises is a charging point per residential premise or Units with unallocated parking e.g. apartments – 1 charging point per 10 spaces, complying with EN 62196-2 (J1772) Type 2, Mode 3, 7 pin, 32 amp, 7kw. Wherever possible the power supply and charging point should both be phase 3 compatible and be located near the parking area for each dwelling. Where only single-phase power supply is available the charging unit should be capable of handling 3-phase power if supply is subsequently upgraded.

The charging unit is to be supplied by its own independent radial circuit.

Further information on Electric Vehicle Charging Points and the necessity to provide these can be found in the following: • West Midlands Low Emissions Towns and Cities

Programme, Good Practice – Air Quality Planning Guidance,

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

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

Black Country Air Quality Supplementary Planning Document (SPD) can accessed via the following link:

[https://go.walsall.gov.uk/Portals/0/images/importeddocuments/black\\_country\\_air\\_quality\\_spd\\_september\\_2016.pdf](https://go.walsall.gov.uk/Portals/0/images/importeddocuments/black_country_air_quality_spd_september_2016.pdf)

**END OF OFFICERS REPORT**