

Planning Committee

Report of Head of Planning and Building Control on 15 January 2024

Plans List Item Number: 3

Reason for bringing to committee

Council owned land - Applications on Council owned land or Council assets where the Council intends to develop or dispose of that land or asset with the benefit of planning permission and where the value of the land or asset would be increased by more than £100,000.

Application Details

Location: 414, BOSTY LANE, ALDRIDGE, WALSALL, WS9 0QF

Proposal: PROPOSED TAKING DOWN OF AGRICULTURAL OUTBUILDINGS, PARTIAL DISMANTLING OF FIRE DAMAGED GRADE II LISTED BARN TO PROVIDE 4 NO. BEDROOMS, RENOVATION OF GRADE II LISTED FARMHOUSE TO PROVIDE 6 NO. BEDROOMS, CONVERSION OF BARN INTO A DWELLING HOUSE WITH 5 NO. BEDROOMS, AND CONVERSION OF DUTCH BARN INTO A DWELLING HOUSE (3 DWELLING HOUSES IN TOTAL) ALONG WITH A PAVED COURTYARD, OPEN SIDED PARKING AREA, VERANDAS/TERRACES AND THE ADJACENT PADDOCKS CONVERTED TO PROVIDE A THERAPEUTIC CHILDREN'S FARM. PROPOSED 30KW PHOTOVOLTAIC SOLAR PANEL ARRAY.

Application Number: 22/0976 & 22/0977 (LISTED BUILDING CONSENT)

Case Officer: Helen Smith

Applicant: Adecyn Properties Ltd

Ward: Aldridge Central And South

Agent: Baart Harries Newall Architects

Expired Date: 08-Sep-2022 and 07-Sep-2022

Application Type: Full Application: Minor Use Class C3 (Dwellinghouses) and Listed Building Consent: Alter/Extend

Time Extension Expiry: 31-Jan-2023



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Recommendation

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

2. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Listed Building Consent subject to conditions and subject to:
 - The amendment and finalising of conditions.
 - No further comments from a statutory consultee raising material planning considerations not previously addressed.

Proposal

The planning application (reference no. 22/0976) and Listed Building Consent (reference no. 22/0977) application proposes the taking down of agricultural outbuildings, the partial dismantling of fire damaged Grade II Listed barn, and the conversion of the barn into a dwelling house. It also proposes the renovation of the Grade II Listed farmhouse and conversion of the existing Dutch barn into a dwelling house. The proposal would therefore result in the development of 3 dwelling houses in total, along with a paved courtyard, open sided parking area, verandas and terraces. The adjacent paddocks would be converted to provide a therapeutic children's farm for the applicant's own family and fostered children. The proposal includes the installation of a photovoltaic solar panel array. No agricultural use is included.

The submission states that the building form and materials of the listed farmhouse and barn will remain as existing, and the submission is made by Adecyn Homes which is a family run organisation who provide foster care for children. The site would be occupied by the same family.

The existing access and driveway along the eastern boundary of the application site would be utilised to provide a 4.1 metre wide vehicular access to the three proposed properties. Farm access is available to the to the adjacent field to the east, which is tenanted to another farmer.

The submission states that the properties would be occupied by close family members. Off-street parking would be provided for each dwelling and the existing farmyard would be paved converted courtyard and the existing outbuildings would be re-constructed as an open sided parking area. The proposal includes the following:

Farmhouse

This two-storey building would be restored and converted into a single dwellinghouse with a kitchen, dining room, living room, reception room, conservatory, 6 bedrooms, 3 bathrooms and WC. The attic would be used as storage space with a roof light installed.

Listed Barn

This would be restored and converted to provide open sided parking areas, storage, study, wet room, reception and sitting rooms, dining room, gym/cinema room with a spiral staircase installed to access the first floor. One bedroom would be provided at ground floor and three bedrooms at first floor with two bathrooms.

Dutch Barn

This would be restored and converted to a two-storey building to provide residential accommodation. At ground floor there would be a living room, kitchen, dining area, reception room, utility and cloakroom, a bedroom, and a bathroom. Stairs would be installed centrally to access the first floor where 4 further bedrooms each served by a bathroom and study would be provided.

Solar Panel Array

The proposal includes the installation of a 30KW solar panel array which would be located within the orchard area to the south of the site and surrounded by hedgerow planting. The array would cover an area of 192 sq. metres and would be 1 metre high, above ground level.

Therapeutic Farm

The Design and Access Statement states that the proposal will include a therapeutic children's farm with a horticulture bed and small farm animals such as sheep, goats, alpaca and hens. The planning agent has advised that the therapeutic farm is for the sole use of the applicants and foster children who live on site along with children from other foster homes within the group.

The initial plans have been revised to ensure that the agricultural character of the existing listed buildings and their wider setting are retained and are sensitively restored. Two orchard areas are proposed along with gardens to serve the dwellinghouses which would be sub-divided within the application site by 1.2 high post and wire fencing.

The same boundary treatment is proposed to the northern boundary of the application site fronting Bosty Lane and to the western and southern site boundaries along with accompanying improved hedgerow boundaries.

The planning application and listed building consent applications are supported by the following documents:

- Preliminary Ecological appraisal
- Reptile report
- Bat Activity Survey
- Preliminary Ecological Appraisal Report
- Farmhouse Structural Inspection Report
- Listed Barn Structural Assessment Report
- Heritage Assessment
- Tree report
- Design and Access Statement
- Green Belt Statement
- Statement of Heritage Significance
- Biodiversity Net Gain Report
- Biodiversity Net Gain Calculation

Site and Surroundings

Bosty Lane Farm is located on the southern side of Bosty Lane, a range of farm buildings set back from the highway. The farmhouse and farm building adjoining to the east, Bosty Lane, and the barn southwest of Bosty Lane Farmhouse, Bosty Lane, are both Grade II listed. The farmhouse is early 18th century and the farm building mid-19th century, and both are constructed from brick with slate roofs.

Access to the site is via a track adjacent the Listed Farmhouse and barn. There is an area of hardstanding to the rear of the Farmhouse, the side of the Listed barn and to the front of the Listed barn to the south-west of the site. A small area of hardstanding is formed in front of the Dutch barn.

The farmhouse is two storeys high with three bays, the casement windows have glazing bars, and the ground floor window of the second bay has segmental head. The first bay door is a mid-19th century timber doorcase. A chimney stack protrudes to the right of the second bay. The gable of the adjoining farm building projects forwards and has a pitching hole on the first floor with segmental arch. The left-hand return wall has a five-bay arcade with segmental arches and brick piers, opening into a cart shed. The interior of the farmhouse includes a sunken diary in the right-hand bay. The middle room has a chamfered axial main beam and exposed common joists. The left room has a boxed axial beam, and the inglenook recess has a boxed bressummer.

The barn south west of Bosty Lane Farmhouse, Bosty Lane is Grade II. The barn is mid-18th century constructed in brick with a tiled roof. The north wall accommodates a two-storey porch with hardwood truss exposed in gable. This has a kingpost with straight braces to the principals. Each side of the porch are single storey leaning structures against the front wall of the barn. The southern wall includes a design feature called breathers, and a cart entrance that includes a segmental arch formed from blue brick voussoirs. The barn includes a first-floor pitching door.

The interior includes brick cross walls with central openings which supports the roof to the entrances, the roof structure includes hardwood purlins. The western part of the barn includes a visible truss which is similar to the one in the exposed gable of the porch and has at least one curved wind brace.

The listed barn has recent fire damage and a section of roof and side elevation wall part damaged due to this fire.

To the west of the listed barn are four stables constructed in brick. To the rear of this barn is a Dutch barn that is open on all sides constructed out of metal with a small row bow roof. To the west and south of the Dutch barn are modern agricultural buildings.

The Farmhouse, barns and ancillary buildings sit within the open rural countryside. The site has fallen out of active farming use.

The last tenants vacated the farm in 2017. The buildings on the application site are in a poor condition having suffered damage from arson, vandalism and rainwater ingress. The adjacent farmland is currently occupied by a farmer and the farmland agreements are currently separate from the proposed development.

The application site falls within character area WL09 – Barr Beacon and Aldridge Fields and the Historic Environment Record. This site is within an Area of High Historic Landscape Value contains the remains of Aldridge Lodge (now Lodge Farm) and the Grade II listed buildings Bosty Lane Farmhouse and its associated barn. Both shown on the 1817 OSD map of the area. Earthwork ridge and furrow and parkland features are also present.

The application site is located within designated Green Belt and the boundary of the Cannock Chase Special Area of Conservation crosses the northern tip of the application site. There are a number of trees within the site, in particular to the west of the Listed Farmhouse.

The application site is broadly level in character and falls within the Coal Development Low Risk Area. The Environment Agency identify the application site as being within Flood Zone 1 with a low probability of flooding.

There are residential properties opposite the application site to the north on Bosty Lane and to the northwest of the site. The nearest dwelling house to the site is 398 Bosty Lane which shares its eastern boundary with the application site. This neighbouring property has protected trees within its curtilage. To the south of the application site is Aldridge Airport.

Relevant Planning History

414 Bosty Lane

19/0916 - Listed Building Consent to undertake: 1) removal of roof coverings and fire damaged timbers. 2) take down dislodged brickwork. 3) removal of loose and precarious material. 4) dismantling of wall heads. 5) removal of any loose masonry. 6) walls to be propped and shored – granted listed building consent 10/9/19.

398 Bosty Lane

23/0857 - Replacement roof with increase to ridge height and hip to gable extensions to form new first floor habitable space – under assessment.

Relevant Policies

National Planning Policy Framework (NPPF)

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

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

Key provisions of the NPPF relevant in this case:

- **NPPF 2 – Achieving sustainable development**
- **NPPF 4 – Decision Making**
- **NPPF 5 – Delivering a sufficient supply of homes**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 13 – Protecting Green Belt land**
- **NPPF 15 – Conserving and enhancing the natural environment**
- **NPPF 16 – Conserving and enhancing the historic environment**

On **planning conditions** the NPPF (para 56) 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.

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

Saved Policies of Walsall Unitary Development Plan

- 3.2 to 3.5 The Countryside and Green Belt
- 3.6 to 3.8 Environmental Improvement
- 3.13 to 3.15 Building Conservation & Archaeology
- GP2: Environmental Protection
- ENV6: Protection and Encouragement of Agriculture
- ENV7: Countryside Character
- ENV10: Pollution
- ENV14: Development of Derelict and Previously-Developed Sites
- ENV17: New Planting

- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV27: Buildings of Historic or Architectural Interest
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- T6: Traffic Calming
- T7: Car Parking
- T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

- CSP4: Place Making
- HOU2: Housing Density, Type and Accessibility
- TRAN2: Managing Transport Impacts of New Development
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design 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

EN1: Natural Environment Protection, Management and Enhancement

T4: The Highway Network

Supplementary Planning Documents

Conserving Walsall's Natural Environment

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

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

Survey standards

- NE4 – Survey Standards

The natural environment and new development

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

Development with the potential to affect trees, woodlands and hedgerows

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

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW8 Adaptability
- DW10 Well Designed Sustainable Buildings
- Appendix D

Historic England Guidance

- Good Practice Advice Note 2: Managing Significance in Decision-Taking in the Historic Environment (2015).
- Good Practice Advice Note 3: The Setting of Heritage Assets (2017).
- Advice Note 2: Making Changes to Heritage Assets (2016).
- Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (2019).
- Understanding Historic Buildings: A Guide to Good Recording Practice (2016).
- Advice Note 9: The Adaptive Reuse of Traditional Farm Buildings (2017).
- Best Practice Guidelines for Adaptive Re-use: Adapting Traditional Farm Buildings (2017).
- A Guide to Good Practice: The Maintenance and Repair of Traditional Farm Buildings (2017).

Consultation Replies

Archaeology – No objections as there are no below ground archaeological implications.

Community Protection – No objections subject to secure boundary treatment, defensive planting, and the inclusion of the principles of Secured by Design.

Conservation (Heritage) Officer – Support subject to conditions, see Listed Building and Heritage Assessment section of this report

Ecology – No objections subject to the inclusion of planning conditions in respect of bats, small mammals, and biodiversity net gain requirements.

Environmental Protection – No objections subject to conditions relating to the installation of solid fuel appliances, asbestos removal, and the provision of a Construction Environmental Demolition Plan.

Fire Officer – No objections subject to compliance with Approved Document B, Volume 1, Dwellings, 2019 edition incorporating 2020 and 2022 amendments – for use in England. An informative note can be included for the applicant.

Highways England – No objections

Historic England – No objections and recommend the involvement of local conservation and archaeological specialists.

Housing Standards – initial concerns raised are considered to have been addressed by the amended plans.

Local Highway Authority – No objection subject to an amended layout to show an access road of minimum 4.8m and amended surfacing arrangements for the access road.

Police Architectural Officer – No objections to the proposal subject to the implementation of the principles of Secure by Design. An informative note can be included for the applicant.

Severn Trent Water – No objections subject to the inclusion of a drainage condition and informative note for the applicant in respect of sewage.

Strategic Planning Policy – No objections subject to appropriate boundary fencing for this sensitive historic and Green Belt location.

Tree Officer – no objections subject to the inclusion of a planning condition in respect of tree protection.

Representations

Two neighbours have commented on the planning proposal and made comments on the following grounds:

- Objects to the proposed 2.1 metres high security fencing close to neighbouring windows.
- Tree preservation orders on 398 Bosty Lane not considered in the tree report.
- Supportive of the proposal as it will enhance the land and stop illegal fly tipping.
- Would like the existing hedge to remain fronting Bosty Lane to retain existing privacy opposite the application site.

Determining Issues

- Heritage and Listed Building Assessment
- Principle of Development
- Green Belt
- Character and Appearance of the Area
- Amenity of Neighbours and Amenity of Future Occupiers
- Ecology
- Protected Trees
- Air Quality
- Ground Conditions
- Cannock Chase Special Area of Conservation
- Parking and Access
- Local Finance Considerations

Assessment of the Proposal

Heritage and Listed Building Assessment

Paragraph 200 of the NPPF (December 2023) requires the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and the submission includes a Heritage Statement in support of this proposal.

The farmhouse and farm building adjoining to East, Bosty Lane, and the barn southwest of Bosty Lane Farmhouse, Bosty Lane, are both Grade II listed. The farmhouse is early 18th century and the farm building mid-19th century. The Farmhouse, barns and ancillary buildings sit within the open rural countryside.

The Council's Conservation (Heritage) Officer has advised that the proposal to bring back the Listed Farmhouse and Listed Barn and associated curtilage listed buildings back into re-use is welcomed subject to a sensitive restoration and conversion of the existing buildings on this site.

The optimum viable use and public benefits have been considered in this instance. While the re-development of the application site would be largely for the private gain of the developer it is considered that the re-use of this heritage asset would have a wider benefit for the surrounding area and its occupants by avoiding potential dereliction and being a trigger for anti-social behaviour. The active re-use of the building with a sensitive conversion is considered would provide future conservation of this important asset.

Listed Farmhouse and Farm Building

The planning agent has worked with the Council's Conservation (Heritage) Officer to ensure that concerns regarding the design and the retention of the farm character of the site is retained are addressed.

The plans retain original historic fabric and existing openings within the Listed farmhouse and farm building, as such these proposed works are supported. Internal new openings would be half height only, which will retain original historic fabric, including the boxed axial beam, and the boxed bressummer in the inglenook recess.

Fire damage has resulted in part of the roof of the Listed farm building having been lost. As a result of this fire part of the side wall of the Listed farm building was also damaged and lost. After the fire listed building consent was granted for a couple of brick courses to be removed to make the farm building safe. Policy ENV27 of the UDP states "the Council considers demolition of a listed building as a last resort". The proposal seeks partial demolition and rebuilding of part of the fire damaged wall to ensure the wall is structurally sound to accommodate a partial new roof. These are crucial repair works and new roof works that are required to will bring the farm building back into use. The farmhouse and farm building will be utilised as a single six-bedroom dwelling.

Three new openings and two conservation rooflights will be inserted into the original fabric of the Listed farmhouse and farm building, these minimal alterations will retain the historic and architectural significance and agricultural character of the Listed farmhouse and farm building. The existing openings at ground floor of the farm building will be infilled with glazing, enabling an enclosed habitable space to be provided, details of the timber window construction including glazing details will be sought by way of a planning condition.

A small single storey extension is proposed, a modern addition to the original design and character of the Listed farmhouse and farm building, the modern element would clearly distinguish between the original historic buildings and the modern extension. This relatively small extension would be supported, as it would not significantly alter the character or value of the Listed Farmhouse or farm building. This small extension would not have a detrimental impact on the character and appearance of the Listed farmhouse and farm building, the extension is fully glazed allowing direct views of the original farmhouse and farm building and fully reversible, where the fully glazed extension can be removed, and the original farmhouse openings reinstated with reclaimed brickwork and new timber doors.

Details of all repair and refurbishments works to the historic fabric to both the Listed farmhouse and farm building, including survey work of the existing windows, details of repair work to existing windows, details of new windows, details of new doors (internal and external), details of new joinery, facing and roofing materials, new glazing for the extension, details of new plasterwork, mechanical, electrical, plumbing works and fire, sound and thermal insulation details will be sought by way of a planning condition.

The retention of the Listed farmhouse and farm building and the minor works proposed would not significantly alter the internal and external appearance, character or values of the Listed farmhouse and farm building, it would still be read as a farmhouse and farm building. The proposed works would seek to retain and preserve the internal and external form of the Listed farmhouse and farm building. The change of use of the farm building will not have a detrimental impact on the character and appearance of the farm building, as it would still read as a farm building. The proposal would comply with Policies ENV27, ENV32, ENV2 and ENV3 of the Development Plan and DW3 of Designing Walsall SPD.

Prior to the any works commencing a full building recording survey in accordance with Historic England Guidance: Understanding Historic Buildings: A Guide to Good Recording Practice (2016) shall be undertaken and this shall be secure by way of a planning condition.

The proposed works to convert the Listed farmhouse and farm building would have less than substantial harm to the significance of the Listed Bosty Lane Farmhouse and farm building. The scale of harm would be weighed as low. The proposal would need to be weighed against public benefits and optimum viable use. The proposed conversion and works to the Listed farmhouse and farm building would preserve the setting of the Listed Barn southwest of the Listed Bosty Lane farmhouse.

The barn southwest of Bosty Lane Farmhouse

The proposal seeks to retain and convert the original threshing barn into a single dwelling. Through negotiations original historic fabric within the threshing barn will be retained, including the Kingpost with straight braces, breather design detailing, interior walls with half height openings, cart entrances, pitching door at first floor, purlins and trusses. The proposed conversion of the threshing barn seeks the retention of existing openings with minimal new openings to retain the historic and architectural significance and agricultural character of the threshing barn. A new spiral staircase will be fitted, and a new floor inserted into the threshing barn to provide habitable space within the double height space of the threshing barn. The full glazed elements inserted into the original threshing barn doors would retain the original entrance features of the threshing barn, still allowing its historical use associated with the farm to be understood.

The single lean-to construction will be refurbished with metal cladding and fully glazed elevation facing the courtyard. The existing lean to is clad in metal with full glazing on one elevation, the contrast between traditional materials and modern metal cladding would add character and would not unduly detract from the external character and value of the Listed barn. It is however important to ensure the proposed metal cladding and full glazed elements are constructed from high quality materials, details of which will be sought by planning condition. Furthermore, this lean to is reversible, where it can be fully removed without having significant impact upon the Listed barn.

The proposed works would include a new roof turret to existing open structure to the rear of the threshing barn, there are no conservation objections to this additional feature. The open structures to the rear of the threshing barn will be utilised as open parking areas and a storage area, which will include timber doors. The existing cross walls within this structure will be repaired, this is welcomed, and details of these repair works will be sought by way of a planning condition.

New gates are to be installed into the rear courtyard of the threshing barn; details of these gates will be sought by way of a planning condition.

Details of all repair and refurbishments works to the historic fabric to the Listed barn, including survey work of the existing windows, details of repair work to existing windows, details of new windows, details of new doors (internal and external), details of new joinery, facing and roofing materials, new glazing for the extension, details of new plasterwork, new partitions, rooflights, mechanical, electrical, plumbing works and fire, sound and thermal insulation details and details of the roof turret will be sought by way of a planning condition.

Prior to the any works commencing a full building recording survey in accordance with Historic England Guidance: Understanding Historic Buildings: A Guide to Good Recording Practice (2016) shall be undertaken and this shall be secure by way of a planning condition.

The retention and change of use of the Listed barn and the minor works proposed would alter the interior of the threshing barn, however, the proposed works would not have a significant detrimental impact on the character and appearance of the Listed barn, as the externally appearance, character or value of the Listed barn would still read as a former threshing barn.

The proposal would comply with Policies ENV27, ENV32, ENV2 and ENV3 of the Development Plan and DW3 of Designing Walsall SPD.

The proposed works to convert the Listed barn would have less than substantial harm to the significance of the Listed Barn. The scale of harm would be weighed as low. The proposal would need to be weighed against public benefits and optimum viable use. The proposed conversion and works to the Listed barn would preserve the setting of the Listed Farmhouse and farm building.

Dutch Barn

The existing open plan Dutch barn will be converted into a 5 bedroom dwelling. The Dutch barn will be infilled with brickwork with design features called 'breathers' replicated from the threshing barn. The front and rear of the Dutch barn would include an extended full glazed feature with minimal side window openings. The fully glazed elements, the design features and the design of the roof are similar to the proposed glazed elements proposed in the Listed farm building and listed barn and whilst its overall design will read as a modern dwelling, the roof form would still read as a Dutch barn which would be reflective of the agricultural character of the site. The proposed conversion of the Dutch barn would have minimal harm to the setting of the Listed Farmhouse and farm building and the Listed barn.

The works to convert the Dutch Barn would have less than substantial harm to the significance of the Listed Bosty Lane Farmhouse and Barn and the Listed Barn to the southwest of the Bosty Lane Farmhouse. The scale of harm would be weighed as low. The proposal would need to be weighed against public benefits and optimum viable use.

Paved Courtyard, Parking Area, Verandas and Terraces

The works would have less than substantial harm to the significance of the Listed Bosty Lane Farmhouse and Barn and the Listed Barn to the southwest of the Bosty Lane Farmhouse. The scale of harm would be weighed as low.

Change of use of Paddock to a Therapeutic Children's Farm

The works would have less than substantial harm to the significance of the Listed Bosty Lane Farmhouse and Barn and the Listed Barn to the southwest of the Bosty Lane Farmhouse. The scale of harm would be weighed as low. The proposal would need to be weighed against public benefits and optimum viable use.

Photovoltaic Storage and Air Source Heat Pumps

Along the southern boundary of the site, to the southwest of the Dutch barn, a 30kv photovoltaic storage area will be included as part of the scheme. The photovoltaics have been stored in this location, further away from the Listed Farmhouse and farm building and the Listed barn southwest of Bosty Lane Farmhouse. The photovoltaic storage area will be screened by a hedgerow around it. The propose photovoltaic storage area will have an element of harm to the setting of the above referenced Listed buildings. The scale of harm to the setting of these Listed buildings would be low to medium, however, on balance, the proposal to include energy efficient measures should be supported to meet the Government's carbon zero emissions. The photovoltaic storage area is fully reversible, the panels would sit on the ground and can be removed with minimal damage to the ground where the ground could be made good with grass seed and a wildflower meadow.

Air source heat pumps will provide heating to the Listed farmhouse and farm building, Listed barn and Dutch barn, details of these air source heat pumps will need to be submitted by way of a planning condition.

Modern Farm Buildings

The application proposes the demolition of the modern agricultural buildings on the site, the demolition of these modern agricultural buildings is welcomed, their removal would enhance the setting of the Listed Farmhouse and farm building and the Listed barn.

In conclusion, the principle of residential development on the site is supported, as it seeks to bring a vacant designated heritage assets back into re-use. The Listed Building Consent application is considered to be acceptable subject to the inclusion of planning conditions that meet the 6 tests as set out in the NPPF.

Principle of Development

The application site is considered to be in a sustainable location close to local amenities and services. Aldridge Primary Shopping Centre is located 1.2 km to the north-east of the site and access to the no. 997 bus service between Walsall and Birmingham is within walking distance of the application site.

The NPPF seeks to deliver a wide choice of quality homes to create sustainable, inclusive and mixed communities. The NPPF and SAD policy HC2 encourages the provision of residential accommodation through the conversion of existing buildings in sustainable locations.

The proposal seeks to introduce residential use to the former farm site. Whilst the character and uses in the surrounding area have changed since the building was first constructed, residential development is considered an appropriate use for this location. The property is in an area with residential uses, and it is considered that bringing this derelict site back into use will enhance the vitality of the area.

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 preceding 3 years. This means that the presumption in favour of sustainable development as described in the NPPF paragraph 11d) is in effect. Consequently, as there is a housing supply shortfall in Walsall the delivery of housing is considered welcome subject to all other matters being satisfactory.

The application site is not in agricultural use and land to the south of the site is classified as Agricultural Land.

The proposed use can be supported on planning policy grounds by SAD policy HC2 subject to the provision of satisfactory amenity for existing and future occupiers and the potential impact on heritage assets.

Green Belt

The application site sits within designated Green Belt and the proposal aims to restore and convert the existing dilapidated listed farm buildings on the site. The planning proposal includes a Green Belt statement which comments upon the existing semi-derelict condition of the existing buildings, large quantities of rusting farm machinery and extensive fly-tipping on the current site being considered.

The proposal would retain the built form of the existing buildings and whilst the proposal would convert the use to residential in its entirety which could result in increased domestic paraphernalia around the converted farm buildings it is considered that the potential impacts would be less than the visual impacts of the existing large quantity of rusting farm equipment and fly tipping on the site. It is considered that the openness of the Green Belt would not change as a result of this revision as the existing scale and mass of the buildings would be unchanged and the farm character of the buildings would be retained.

The proposed photovoltaic solar array would be low-level at 1 metre high and as this would be screened by hedgerows it is considered that this development would not have a significant impact on the character or openness of the Green Belt.

There would be no further spread of buildings on the site and no further encroachment onto the Green Belt other than the installation of a photovoltaic solar array which in this instance is considered would only have a limited additional impact on the surroundings.

This part of the site is not in agricultural use. The removal of permitted development rights is considered would retain the openness of the Green Belt and a planning condition that meets the 6 tests to restrict any further associated householder developments on this site.

Character and Appearance of the Area

The surrounding area is residential in character and houses are located next to open countryside and farmland.

The proposal would restore and convert the existing farm buildings on this sensitive site, bringing them back into active use rather than risk their potential future complete loss. The planning agent has worked with the Council's Conservation (Heritage) Officer and the original scheme proposed has been amended to ensure that the existing distinctive farming, heritage, character of the site is retained notwithstanding the farm falling out of present-day farming use.

The retention and restoration of these listed farm buildings is considered will contribute positively to the landscape character of the surrounding area and preserve the special interest of the buildings and their historic setting. Based on the aforementioned, it is considered that the limited change in character of this heritage asset to residential use will not harm the character and appearance of the surrounding area.

The proposed 2.1 metres high security boundary fencing has been removed from the scheme and the provision of boundary treatment details could be conditioned if approved.

Amenity of Neighbours and Amenity of Future Occupiers

The existing built form on the application would not change however the proposed change of use would provide three residential dwellings which would intensify the use of the existing site. There are no new buildings proposed and the relationship between the existing buildings on the application site and neighbouring properties to the north and west would be unchanged.

There would be separation distances of 52 and 62 metres between proposed residential buildings on the application site and 277 and 398 Bosty Lane respectively would exceed the recommended minimum habitable room window to window separation distances referred to in Appendix D of Designing Walsall SPD. It is considered that neighbours' existing privacy would be maintained.

The proposed habitable room window to window separation distances within the application site and between the proposed three dwelling houses would be less than recommended between the Dutch and the Listed Barns at 17 metres. Whilst this would be 7 metres less than the recommended separation distance of 24 metres referred to in Appendix D it is considered that in this instance as the proposal relates to a historic building which would be brought back into use, the shortfall would be, on balance, be acceptable particularly as the same family would occupy the entire site.

The amenity proposed for future occupiers is considered would be acceptable and each dwelling house would have internal floor space in excess of guidance provided within the nationally described space standards and access to large areas of private amenity space.

There would be some disturbance for residents during any development works however it is considered that this would be for a limited time period and any potential environmental impacts could be managed by the provision and implementation of a construction environmental management plan as required by Environmental Protection officers.

Details of bin storage and a waste management strategy has not been provided however this can be conditioned if approved.

Ecology

The planning application is supported by a Preliminary Ecological Appraisal, a Reptile Survey, Bat Activity Survey and a Preliminary Ecological Appraisal Report.

The site contains a number of habitats, and the buildings measure a total of 307m². These habitats include bare ground, broad-leaved scattered trees, dense scrub, fences, poor semi-improved grassland, species-poor hedges, tall ruderal, and walls, with additional areas of rubble and assorted building materials. Therefore, the site is considered to contain potential to support the local bat and bird populations by offering roosting/nesting, commuting and foraging opportunities.

The Preliminary Ecological Report dated July 2022 advises that the proposed re-development of the site will have no impact on any local designated sites and no habitats of conservation concern were located on the site. Recommendations for biodiversity net gain and protection of hedgehogs, reptiles and nesting birds are provided and planning conditions can be included if the proposal is approved.

The Council's Ecologist raised initial concerns regarding the proposal and to address these concerns the following reports were provided:

- Preliminary Ecological Appraisal dated November 2023.
- Bat Activity Survey report dated November 2023.
- Reptile Survey report dated November 2023.
- Biodiversity Net Gain report dated November 2023.

Bats

The bat activity survey report outlines the further survey work previously requested and identifies that several common pipistrelle day roosts found within the existing stable block and the northern building. As these roosts will be lost as part of the proposed work, the applicant has provided detailed mitigation measures that will be provided as part of the necessary Natural England bat Mitigation Licence, should approval of the application be granted. From this information planning conditions have been recommended by the Council's Ecologist.

The Council's Ecologist has advised that it should be noted, however, due to the proposed locations of the integrated bat boxes on the two buildings, it is likely that there will be some competing requirements in terms of heritage, in respect to maintaining the historical setting of the site. As such further consultation, which can be undertaken at condition discharge stage, will be required with Natural England, the Council's Conservation (heritage) officer and the Council's Ecologist to determine the optimum location of the bat boxes. It would be the recommendation of the Council's Ecologist that the bat boxes are located, as suggested by the report, in close proximity to the identified bat roosts.

As part of determining the application, due to the presence of the bat roost, the LPA is legally obliged to consider the 'three tests' set out in the Habitat Regulations and ensure that the application has submitted information to address them. This ensures that the LPA with approving the application has a measure of confidence that Natural England will grant a mitigation licence based on the information submitted.

The three tests under the Habitat Regulations are set out below, together with a summary of the justifications put forward by the applicant.

Test 1: the 'Purpose' Test.

Is the development for the purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'?

In summary, the applicant has stated the development is to create a Therapeutic Children's Farm to benefit the foster children within a number of family groups.

While the proposal will not preserve public health or safety, it will improve the resident's living quality through the increase in living space and quality of life for the families and foster children. This statement justifies the development as it will provide social benefits and improved quality of life for the residents while providing environmental benefits.

Test 2: the 'No Satisfactory Alternative' Test.

Is there a satisfactory alternative?

Due to the specific plans of the applicants and the status of the existing building on site, there is no other alternative to the proposals that would allow for the works to be undertaken without impacting the bat roost.

At this stage it would be difficult for the owners to find an alternative site which would suit their needs, due to the specific nature of the proposals. Doing nothing would result in dwellings that would be unsuitable for the residents.

Test 3: the 'Maintenance of Favourable Conservation Status' Test.

Will populations of the species be adversely affected?

The applicant has provided thorough and detailed information on the mitigation to be provided under a Natural England Licence, should it be granted. This includes:

- Works on the structure should only take place in conditions that are deemed suitable for bat activity.
- Soft demolition / strip of the roof tiles will be needed under the supervision of a licenced ecologist.
- One 1FS Schwegler Large Colony Bat Box or similar will be required to be installed on the morning of the supervision.
- Five Integrated Eco Bat Boxes to be installed as close to the existing roosts as possible – these must avoid artificial lighting.
- No artificial light is to be shone on the building.

This information supplied by the applicant addresses the requirements of the 'three tests'. Planning conditions as set out below should be put in place to ensure that the mitigation is followed unless superseded by a Natural England licence.

Reptiles

Since the Council's Ecologist's previous comments, the applicant has submitted a Reptile survey report dated November 2023. The report and survey findings found no evidence of reptiles within the application site. With the submission of the report, previous concerns have been addressed, however, residual measures as stated within the Preliminary Ecological Appraisal report would be included within a Construction and Ecological Management Plan.

Biodiversity Net Gain

The Biodiversity Net Gain report dated 2023 provides information on the habitats within the existing site and post development and concludes that the site will achieve a Biodiversity net gain as a result of the development and proposed management schedule. From an assessment of the report and its findings, the Council's Ecologist is in agreement, and should the management proposals be secured for the 30-year period, the proposal would be likely to meet a net gain in biodiversity, in accordance with para 180 and 186 of the National Planning Policy Framework. The required 30-year monitoring and securing the net gain would require a planning obligation and/or legal agreement.

Protected Trees

There is a protected Oak tree on the western boundary and protected trees on the adjacent residential plot at 398 Bosty Lane.

The planning application is supported by a tree report which has assessed 12 individual trees, three hedges and three tree groups. The report states that trees identified as T1 to T8 are Oaks except for T4 which is a small Ash. The trees are considered to likely be the remains of a boundary line planted at around the same time. The report advises that the Oaks are mature in age with ivy growing up their stems and lower crown area.

Trees T11, a Sycamore and T12, an Ash, are located on the northern boundary of the site. Both trees have ivy growing up their trunk which can obscure defects.

The report states that G1 is a linear feature of Holly and the tree next to the barn may have been affected by a fire in 2019. There are considered to be no outstanding trees in this group.

The report comments on three hedges, H1 located on the eastern boundary and divides the access drive from the neighbouring field. H2 is considered by the report to be a well-maintained hedge fronting onto Bosty Lane and H3 is a small feature that is considered probably divided the farm buildings from the barns.

The tree report was prepared to inform the design of the proposed development and includes recommendations for tree protection zones.

The Design and Access Statement advises that the mature native trees would be retained, subject to tree health but a row of self-seeded holly trees growing partly beneath the canopy of the Dutch Barn would be removed. T

The Council's Tree Officer has advised that it seems that trees to the south of the solar array are likely to be lost however a replacement planting scheme has been provided which can be

conditioned The Tree Officer has no objections to the proposal on arboricultural grounds and recommends the inclusion of a tree protection condition.

Air Quality

Environmental Protection (EP) have commented that the planning application does not contain details or state whether a solid fuel heating appliance (e.g., stove, open grate, multi-fuel burner) will be installed within the proposed development. The planning agent has advised that there will be no installation of solid fuel heating appliances in the proposed development. The installation of solid fuel stoves is covered by the Building Regulations 2010 (as per Approved Document J)

Ground Conditions and Environment

Prior to any demolition works, EP advise that an asbestos survey shall be undertaken, and a report produced identifying any asbestos containing material and measures to remove it. Thereafter, a Demolition Management Plan needs to be implemented to control local environmental impacts (noise, vibration, dust, and debris), including consideration of working hours. These can be conditioned if approved.

Cannock Chase Special Area of Conservation

The top corner of the application site falls within the 15km zone of influence for Cannock Chase Special Area of Conservation (SAC), an internationally protected site. The site was designated in 2005 under the European Habitats Directive primarily for its dry heathland, an Annex I habitat.

Pursuant to the Habitats Directive (92/43/EEC), where a plan or project is not connected with the nature conservation management of a European designated site, the competent authority must determine whether the plan or project is likely to have a significant effect on the site, either alone or in combination with other plans or projects. This is reflected in national law in the Conservation of Habitats and Species Regulations 2017 ("Habitats Regulations"), which place a duty upon competent authorities to consider the potential for effects upon sites of European importance prior to granting consent. This is referred to as a screening assessment. If likely significant effects are identified by the screening assessment, the competent authority must then undertake an Appropriate Assessment of the implications.

Council areas in the vicinity of the SAC have formed a Partnership and commissioned reports, to assess impacts upon the SAC and how they arise. The evidence indicates that development, which would increase visitors within 15km of the SAC may have a significant impact from recreational disturbance, this includes development that will lead to a net increase in dwellings.

Walsall Council, acting as the Competent Authority, must ensure that planning decisions do not have any negative impact on the SAC. Should a planning application be found to do so the Council must either refuse permission or ensure that the applicant secures the appropriate mitigation measures.

While a portion of the application site lies within the 'Zone of Influence' of Cannock Chase SAC, the development footprint lies outside. As such, upon review it has been determined should the proposed design not be amended to include development within the top corner of the site. The development is therefore regarded as being outside the 'Zone of Influence' and would not be required to undertake mitigation for recreational disturbance to the protected site.

Parking and Access

The Local Highway Authority (LHA) objected to the initial proposed layout and detailed amendments to the proposal that were required along with additional information. Amended plans were submitted to address these concerns and the LHA has advised that the amended layout had improved pedestrian accessibility and access improvements however their detailed updated response is awaited.

Local Finance Considerations

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

This application proposes 3 new homes.

The Government has indicated that, for 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

In weighing the material planning considerations, taking into account the local and national planning guidance and neighbour comments, it is considered the proposal would put this heritage asset into a viable use, consistent with its conservation, by re-purposing it which will allow the full re-use of this heritage asset. It is considered that with sensitive restoration and conversion the proposal would have a positive contribution to the local character and distinction as the property is an important local building.

It is considered that the proposed residential use would, with a sympathetic renovation make a positive impact to the immediate location and assist with preventing anti-social behaviour such as fly-tipping. The proposed new dwellings are considered would provide adequate self-contained amenities for future occupiers with sufficient private amenity space for future occupiers.

It is considered that on planning grounds, subject to safeguarding conditions regarding works to the listed building, the proposal is considered on balance to be acceptable. The use of safeguarding conditions that meet the 6 tests: necessary; relevant to planning and to the development to be permitted; enforceable; precise and reasonable in all other respects within the national planning guidance are fully met.

This proposal is therefore considered to be acceptable and in accordance with local and national planning policies and guidance set out in this report. 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 liaised 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. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and subject to:
 - The amendment and finalising of conditions:
 - No further comments from a statutory consultee raising material planning considerations not previously addressed.
2. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Listed Building Consent subject to conditions and subject to:
 - The amendment and finalising of conditions.
 - No further comments from a statutory consultee raising material planning considerations not previously addressed.

Conditions and Reasons

Planning Conditions and Informative Notes are separated below for the Planning and Listed Building Consent applications respectively.

Planning Application Conditions – Reference no. 22/0976

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 otherwise than in conformity with the following approved plans: -

- Location and Block Plan, drawing no. 2761.01, deposited 14/07/23.
- Site Plan as Existing, drawing no. 2761.13, deposited 14/07/22.
- Existing Elevations and Plan of Dutch Barn, drawing no. 2761.10, deposited 14/07/22.
- Existing Elevations of Farmhouse, drawing no. 2761.04, deposited 14/07/23.
- Existing Floor Plans of Farmhouse, drawing no. 2761.02, deposited 14/07/23.
- Existing Elevations of Listed Barn, drawing no. 2761.08, deposited 14/07/23.
- Site Plan as Proposed, drawing no. 2761.14E, deposited 22/11/23.
- Proposed Elevations of Dutch Barn, drawing no. 2761.12C, deposited 22/11/23.
- Proposed Elevations of Farmhouse, drawing no. 2761.05C, deposited 22/11/23.
- Proposed Elevations of Listed Barn, drawing no. 2761.09C, deposited 22/11/23.
- Proposed Floor Plans of Dutch Barn, drawing no. 2761.11C, deposited 22/11/23.
- Proposed Floor Plans of Farmhouse, drawing no. 2761.03C, deposited 22/11/23.
- Proposed Floor Plans of Listed Barn, drawing no. 2761.07C, deposited 22/11/23.

- Ecology Bat Activity Survey deposited 08/11/23.
- Biodiversity Net Gain Report deposited 06/12/23.
- Design and Access Statement, Rev. A deposited 21/07/22.
- Site Plan as Proposed, Drainage and Calculations, deposited 21/07/22.
- Structural Inspection of Brick Barn and Farmhouse, reference S-21-519 Document No. RP2, deposited 14/07/23.
- Structural Inspection of Red Brick Barn, reference S-21-519 Document No. RP1, deposited 14/07/23.
- Reptile Survey Report deposited 06/12/23.
- Green Belt Statement deposited 28/07/23.
- Heritage Impact Assessment deposited 06/12/23.
- New Habitat Map deposited 06/12/23.
- Preliminary Ecological Appraisal Report deposited 06/12/23.
- Proposed Drainage Scheme, Job no. S-21-519, drawing 001 issue P01, deposited 21/07/23.
- Statement of Significance deposited 13/2/23.
- Tree Report deposited 14/07/23.

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 any works to the stable block and the northern building as part of the development hereby permitted and prior to the submission of the Natural England Mitigation License, the alternative locations of the 5 bat boxes be submitted in writing to and approved in writing by the Local Planning Authority.

3: b) Prior to the commencement of any works to the stable block and the northern building as part of the development hereby permitted the local planning authority shall be provided with either:

- a) A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the development to go ahead or
- b) A statement in writing from the Natural England to the effect that it does not consider that the development will require a licence.

3 c) The development hereby permitted shall be carried out strictly in accordance with the approved details provided under Bat Activity report dated November 2023, unless superseded by the Natural England licence, and shall be retained in that manner thereafter.

3 d) In the event work has not commencement by November 2025, the bat surveys undertaken to support the application, will be considered to have expired, and a comprehensive bat survey would need to be carried out.

Reason: to conserve local bat populations and to be in accordance with National legislation; Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural habitats, & c.) Regulations 1994 and to comply with NPPF15, BCCS Policy ENV1, saved UDP Policy ENV23 & policies NE1 to NE6 of the Natural Environment SPD.

4: Prior to the commencement of the development hereby permitted, a building recording survey to Level 3 in accordance with Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016) shall be undertaken. The building recording survey shall be

submitted in writing and approved in writing by the local planning authority prior to any development works commencing. For the avoidance of doubt the recording shall be undertaken by an accredited archaeologist.

Reason: To ensure there is a written and photographic record of the designated heritage asset prior to the conversion of the building into residential accommodation in accordance with Saved Policy ENV27 of the UDP and Para 205 of the NPPF.

5: a) 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:

- i. Construction working hours (*please refer to the Environmental Protection Informative note referring to hours of working*).
- ii. Measures to prevent site drag-out.
- iii. Measures to prevent flying debris.
- iv. Dust mitigation measures.
- v. Measures to control noise and vibration (*please refer to the Environmental Protection Informative note referring to stabilisation/piling work*).
- vi. management of any materials arising from the works
- vii. Precautionary working practices in respect to badgers, bats, reptiles, birds and hedgehogs
- viii. Tree Protection Plan
- ix. Vegetation removal outside bird nesting season (Sept to Feb)
- x. Sensitive Lighting scheme to avoid light spill to protect bats, detailing the provision of lighting across the site, in accordance with guidance outlined in Note 08/18 bats and artificial lighting in the UK, Bats and the Built Environment Series, BCT, 2018

5: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved Construction Environmental Management Statement including the requirements of the Biodiversity Report (revised August 2023) 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, to control the environmental impacts of the development and to safeguard the significance, setting and character of this Grade II listed building and in accordance with Section 16, 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policy ENV27 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

6: i) Prior to commencement of any works on the site, a pre-demolition asbestos survey shall be undertaken in accordance with HSG264 and the report shall be submitted in writing to and approved in writing by the Local Planning Authority.

6: ii) The scheme shall

- a. be written by a suitably qualified person
- b. demonstrably identify potential sources of asbestos contamination, and
- c. detail recommendation for removal.

6: iii) Prior to demolition activities commencing a written validation report shall be provided to the Local Planning Authority that demonstrates all identified asbestos containing material has been removed from the site by a licensed waste carrier to a facility that is licensed to accept it.

Reason: To safeguard the amenities of the area and the occupiers of the neighbouring properties and to control the environmental impacts of the development

7: a) Prior to the commencement of development hereby permitted drainage plans for the discharge of surface water and disposal of foul sewerage and all existing and proposed underground services and sewers shall be submitted in writing to and approved in writing by the Local Planning Authority (*please refer to the Severn Trent Water Informative Note*).

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

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,

8: a) Prior to the commencement of development:

- i. details of protective fencing and ground protection to be installed around all retained trees and hedgerows shall be submitted in writing to and approved in writing by the Local Planning Authority;
- ii. The approved protective fencing and ground protection shall be installed;
- iii. One month's written notice of the intention to commence development shall be given to the Local Planning Authority to allow the Council's Arboricultural Officer to fully inspect the installation of the protective fencing and ground protection;

8: b) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

8: c) Nothing shall be stored or placed, nor any fires started, any tipping, refuelling, disposal of solvents or cement mixing carried out inside the protective fencing or on the ground protection referred to in part a to this condition. Ground levels within protective fencing and on ground protection areas shall not be altered nor shall any excavation or vehicular access or drainage routes be made.

8: d) The development hereby permitted shall not be carried out otherwise than in accordance with the approved details.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Saved Policy ENV18 of the UDP and Conserving Walsall's Natural Environment SPD.

9: a) Prior to the commencement of the development hereby permitted, details of materials for the exterior phase of development shall be submitted in writing to and approved by the Local Planning Authority. The materials details shall include:

- i. Masonry; Including all facing materials and stone
- ii. Windows.
- iii. Joinery (soffits, eaves, bargeboards, canopies).
- iv. Rainwater goods.
- v. Roofing; Including all roofing materials.
- vi. Flashing.

9: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved materials.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policy ENV27 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

10: a) Prior to the commencement of the development hereby permitted, details of an external lighting strategy shall be submitted in writing and approved in writing by the Local Planning Authority.

10: b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved lighting strategy.

Reason: To safeguard the significance of the historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policy ENV27 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

11: a) Prior to the commencement of the development hereby permitted an amended site plan shall be submitted in writing to and approved in writing by the Local Planning Authority. The amended plan shall show:

- i. An access roadway of a minimum of 4.8m in width
- ii. Removal of reference to gravel surfacing and confirmation that the access roadway will be hard surfaced and drained

b) The development hereby permitted shall not be carried out otherwise than in accordance with the approved amended site plan

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

12: 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.

12: 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.

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.

13: a) Prior to the commencement of building operations above damp-proof course of the development hereby permitted, details of the proposed bin storage areas including their locations on the site 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 and used for no other purpose.

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

14: 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 including the following:

- 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 F (hard surfaces incidental to the enjoyment of a dwelling house),
 - Class G (chimneys, flues),
 - Class H (microwave antenna),
- 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.

15: 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 2 minor operations including the following:

- Class A (gates, fences, walls),
- Class B (means of access to a highway),
- Class C (exterior painting),
- Class D (electrical outlet for recharging vehicles),
- Class E (electrical upstand for recharging vehicles),

-Class F (closed circuit television cameras)]
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.

16: There shall at no time be any advertisement(s) displayed to the frontage of the property.

Reason: In the interests of maintaining the character of the area and to comply with saved policies GP2 and ENV32 of the Walsall Unitary Development Plan.

17: The development hereby permitted shall not be carried out otherwise than in accordance with the approved Biodiversity Net Gain report dated November 2023.

Reason: To preserve and enhance the natural environment and safeguard any protected species in accordance with Black Country Plan policy ENV1, saved Unitary Development policy ENV23, National Planning Policy Framework and Supplementary Planning Document Conserving Walsall's Natural Environment.

18. Notwithstanding the details submitted, the therapeutic children's farm hereby permitted shall not be used otherwise than by foster children and their carers in the care of the applicants.

Reason: To define the planning permission, safeguard the amenities of adjoining dwellings and to comply with the NPPF, Walsall's Unitary Development Plan saved policy GP2 and Designing Walsall SPD appendix D.

Listed Building Application Conditions – Reference No. 22/0977

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: -

- Location and Block Plan, drawing no. 2761.01, deposited 14/07/23.
- Site Plan as Existing, drawing no. 2761.13, deposited 14/07/22.
- Existing Elevations and Plan of Dutch Barn, drawing no. 2761.10, deposited 14/07/22.
- Existing Elevations of Farmhouse, drawing no. 2761.04, deposited 14/07/23.
- Existing Floor Plans of Farmhouse, drawing no. 2761.02, deposited 14/07/23.
- Existing Elevations of Listed Barn, drawing no. 2761.08, deposited 14/07/23.
- Site Plan as Proposed, drawing no. 2761.14E, deposited 22/11/23.
- Proposed Elevations of Dutch Barn, drawing no. 2761.12C, deposited 22/11/23.
- Proposed Elevations of Farmhouse, drawing no. 2761.05C, deposited 22/11/23.
- Proposed Elevations of Listed Barn, drawing no. 2761.09C, deposited 22/11/23.
- Proposed Floor Plans of Dutch Barn, drawing no. 2761.11C, deposited 22/11/23.

- Proposed Floor Plans of Farmhouse, drawing no. 2761.03C, deposited 22/11/23.
- Proposed Floor Plans of Listed Barn, drawing no. 2761.07C, deposited 22/11/23.
- Ecology Bat Activity Survey deposited 08/11/23.
- Biodiversity Net Gain Report deposited 06/12/23.
- Design and Access Statement, Rev. A deposited 21/07/22.
- Site Plan as Proposed, Drainage and Calculations, deposited 21/07/22.
- Structural Inspection of Brick Barn and Farmhouse, reference S-21-519 Document No. RP2, deposited 14/07/23.
- Structural Inspection of Red Brick Barn, reference S-21-519 Document No. RP1, deposited 14/07/23.
- Reptile Survey Report deposited 06/12/23.
- Green Belt Statement deposited 28/07/23.
- Heritage Impact Assessment deposited 06/12/23.
- New Habitat Map deposited 06/12/23.
- Preliminary Ecological Appraisal Report deposited 06/12/23.
- Proposed Drainage Scheme, Job no. S-21-519, drawing 001 issue P01, deposited 21/07/23.
- Statement of Significance deposited 13/2/23.
- Tree Report deposited 14/07/23.

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. Prior to the commencement of the development hereby permitted, a building recording survey to Level 3 in accordance with Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016) shall be undertaken of the Listed Farmhouse and farm building and the Listed Barn to the south west of Bosty Lane Farmhouse. The building recording survey shall be submitted in writing and approved in writing by the local planning authority prior to any development works commencing. For the avoidance of doubt the recording shall be undertaken by an accredited archaeologist or qualified heritage specialist.

Reason: To ensure there is a written and photographic record of the designated heritage asset in accordance with Saved Policy ENV27 of the UDP and Para 211 of the NPPF.

4a. Prior to the commencement of the development hereby permitted, a full phasing plan shall be submitted in writing and approved in writing by the local planning authority.

4b. The development shall not commence other than in accordance with the agreed phasing plan.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

5a. Prior to the commencement of the development hereby permitted including demolition, a written and photographic inventory outlining the retention of significant internal and external fixtures, which contribute to the special architectural interest and historic interest of the listed building shall be submitted in writing and approved in writing by the local planning authority.

5b. The development shall not commence other than in accordance with the agreed inventory approved under part A of this condition and the internal and external fixtures specified in the inventory shall be retained in perpetuity.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

6a. Prior to the commencement of the development hereby permitted a method statement for the implementation of the proposed works shall be submitted in writing and approved in writing by the local planning authority. The method statement shall be structured to reflect the works of the various trades that will be instructed during the implementation of the development and shall be set out in the following order, as are relevant:

- i. Investigative works required.
- ii. Protective measures to be put in place to preserve features to be retained.
- iii. Tools and equipment to be used and how they will be used.
- iv. Method of demolition and dismantling to be undertaken.
- v. Strategy, extent, form and fixing of scaffolding.
- vi. All temporary works.
- vii. Location and form of temporary storage of historic materials removed and to be reinstated.
- viii. Type and fixing of safeguarding measures to historic fabric during implementation of works including shoring, protective packing and screening.
- ix. Measures for repair and remediation.

6b. The method statement approved shall be shared with and made available to all contractors instructed during implementation of the approved development.

6c. The development shall not commence other than in accordance with the agreed method statement approved under part A of this condition and the agreed method statement adhered to throughout the implementation of the development.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

7a. Prior to the commencement of the development hereby approved, a window survey of the existing windows in the Listed farmhouse and farm building and the Listed Barn south-west of Bosty Lane Farmhouse shall be undertaken and shall be submitted to and approved in writing by the local planning authority. The window survey shall be undertaken by a qualified window specialist or joiner and shall outline the method of repair of the existing windows to be retained within the above reference Listed buildings and materials to be used for repair works.

7b. The development hereby permitted shall not be carried out otherwise than in accordance with the window survey approved under part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and

Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

8a. Prior to the commencement of the development hereby permitted, a strategy for repair of the historic fabric of the listed buildings shall be submitted in writing and approved in writing by the Local Planning Authority. The repair strategy shall include the following:

- i. Repair to ceramic bricks and tiles (including floor tiles): Including the type and density, bonding and fixing, stitching together and or surface finishing.
- ii. Repair to timber (including skirting boards, dado panelling, dado rails, picture rails, staircase, balusters): Including the type and density, joints of joinery/carpentry, fixing (nails, pegs and/or adhesives) and finish.
- iii. Repair to glass: Including the type, fixture and finish.
- iv. Repair to ironmongery and metal: Including the type of metal, form, structural integrity, composition, fixing, joints and finish.
- v. Repair to plasterwork: Including the plaster mix, application (coats), substructure, decoration and finish.
- vi. Repair to stone: Including the type and density, bedding, fixing, surface finishing and arrangement.
- vii. Repair to terracotta: Including materials, mortar mix, colour matching.
- viii. Repair to chimney and capping (if relevant)

8b. The development shall not commence other than in accordance with the agreed repair strategy approved under part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

9a. Prior to the commencement of the development hereby permitted full architectural and specification details at a scale of 1:10 shall be submitted in writing and approved in writing by the Local Planning Authority. The details shall be referenced in accordance with the phasing plan. The details shall include:

- i. Windows: Overall design, glazing bar and frame dimensions and arrangement, materials, reveal, opening mechanism, handles, latches, locks and finish
- ii. Secondary glazing: Overall design and how it relates to the principal window, glazing bar and frame dimensions and arrangement, materials, reveal, opening mechanism, handles, latches and locks, the methodology to fix / attach the secondary glazing to the historic fabric and the type of tools to be used.
- iii. Doors (new and altered, internal and external): Overall design, dimension of frames/architraves, arrangement of materials and individual components and members, materials, reveal, opening mechanism, handles, latches and locks.
- iv. Rainwater goods: Design, location, materials, finish and fixing.
- v. New masonry: The position, form and bonding.
- vi. New staircases (internal and external): Materials, colour and finish, design of tread and riser, balustrade and rail, structural form and fixing to principal structure.
- vii. New stud walling: Exact position and relationship to adjacent and affected historic fabric, scribing round historic joinery and plasterwork and architectural features.
- viii. New internal joiners (skirting, ducting, and architraves): Design, materials, position, fixing and colour finish.
- ix. New plasterwork (ceilings, walling and decoration): Form, composition and application, plaster mix, location of application, number and type of coats and decorative use.

9b. The development shall not commence other than in accordance with the agreed architectural and specification details approved under part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

10a. Prior to the commencement of the development hereby permitted full details showing new half-height openings within the Listed buildings shall be submitted in writing and approved in writing by the Local Planning Authority.

10b. The development shall not commence other than in accordance with the agreed half height opening details approved under part A of this condition. The half height openings shall be retained for the lifetime of the development.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

11a. Prior to the commencement of the development hereby permitted full mechanical and electrical systems strategy and water utilities strategy for the implementation of the scheme shall be submitted in writing and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the phasing plan. The strategy shall include:

- i. Type and location of heating services to be installed, including fixing.
- ii. Electrical services: including the routing of cables and wires, light fixings / switches, and electrical sockets and any trunking measures including material and method of fixing.
- iii. Emergency lighting and signage: type, location, position, material of signage, level of illumination, fixing, tools to be used.
- iv. Plumbing services, including routing of pipework, location of soil ventilation pipes and kitchen and bathroom vents including material and fixing

11b. The development shall not commence other than in accordance with the agreed mechanical and electrical systems strategy and water utilities strategy details approved under part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

12a. Prior to the commencement of the development hereby permitted, details of fire and sound separation measures, and thermal and noise insulation measures shall be submitted in writing and approved in writing by the local planning authority. The details shall include a section drawing at a scale of 1:50 showing how the insulation will be fitted / installed between ceilings and floors, type, location, and method of installation.

12b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details under part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

13a. Prior to the commencement of the development hereby permitted a full schedule of materials to be used for the exterior works shall be submitted in writing and approved in writing by the Local Planning Authority. The schedule of materials shall include the colour, size, texture and finish where relevant of the following:

- i. Masonry (bricks, stone).
- ii. Windows.
- iii. Joinery (soffits, eaves, bargeboards, canopies).
- iv. Rainwater goods.
- v. Roofing; Including all roofing materials
- vi. Flashing.

13b. The development shall not be carried out otherwise than in accordance with the details approved under Part A of this condition. The approved materials shall thereafter be retained for the lifetime of the development.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

14a. Prior to the commencement of the development hereby permitted a lime mortar mix for external masonry work shall be submitted in writing and approved in writing by the Local Planning Authority. All works affecting historic fabric shall use Naturally Hydraulic Lime (NHL) to a specified ratio with sand in accordance with its use and location.

14b. The development shall not be carried out otherwise than in accordance with the details approved under Part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

15a. Prior to the commencement of the development hereby permitted, details of the type of conservation rooflights to be installed and fitted into the roof of the Listed building shall be submitted in writing and approved in writing by the local planning authority.

15b. The development hereby permitted shall not be carried out otherwise than in accordance with the conservation roof light/s approved under part A of this condition. The approved conservation roof lights shall thereafter be retained for the lifetime of the development.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and

Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

16a. Prior to commencement of the development hereby permitted a landscape strategy shall be submitted to and approved in writing by the local planning authority. The landscape strategy shall be referenced in accordance with the phasing plan for that phase of development. The landscape strategy shall include:

- i. details of all hard and soft landscaped areas, including any earthworks.
- ii. the composition and form of the car parking areas.
- iii. the physical relationship with the adjacent listed buildings.
- iv. Drainage.
- v. access into the building/s.

16b. The development shall not be carried out otherwise than in accordance with the details approved under Part A of this condition.

16c. Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

17a. Prior to commencement 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.

17b. 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.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

18a. Prior to commencement of the development hereby permitted a details of bird and bat boxes shall be submitted to and approved in writing by the local planning authority. The details shall include the location of the bat and bird boxes, material and the method of fixing to the historic fabric.

18b. The development shall not be carried out otherwise than in accordance with the details approved under Part A of this condition.

Reason: To ensure the proposed works are sympathetic to the conservation of historic fabric and character of this Grade II listed building and in accordance with Section 16, 66 of the Town and

Country (Listed Building and Conservation Areas) Act 1990, Policies GP2, ENV27, and ENV32 of the UDP, Policy ENV2 and ENV3 of the BCCS and Policy DW3 of Designing Walsall SPD.

Notes for Applicant

Informative Notes for Planning Application Reference no. 22/0976

1. Environmental Protection

Construction, demolition, or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), should not take place on any Sunday, Bank Holiday or Public Holiday*, and such works shall otherwise only take place between the hours of 08.00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours. (* Bank and Public holidays for this purpose shall be Christmas Day; Boxing Day; New Year's Day; Easter Monday; May Day; Spring Bank Holiday Monday and August Bank Holiday Monday).

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

Electric vehicle charging points, which are now a requirement under Building Regulations Part S and the Applicant should be advised to speak to their Building Regulations Officer to ensure compliance

The Air Quality SPD (Section 5.6) advises the following about Electric Vehicle Charging Points: The electric vehicle charging point provision for residential premises is a charging point per residential premise or Units with unallocated parking e.g. apartments – 1 charging point per 10 spaces, complying with EN 62196-2 (J1772) Type 2, Mode 3, 7 pin, 32 amp, 7kw.

Wherever possible the power supply and charging point should both be phase 3 compatible and be located near the parking area for each dwelling. Where only single-phase power supply is available the charging unit should be capable of handling 3-phase power if supply is subsequently upgraded. The charging unit is to be supplied by its own independent radial circuit. Further information on Electric Vehicle Charging Points and the necessity to provide these can be found in the following:

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

Ultra-low NO_x boilers discharge NO_x at or below 40mg/kWh. The latest models are future-proofed to the European Union's Energy-related Products Directive 2018 NO_x 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.

2. Severn Trent Water (STW) Informative

The submitted 'Drainage Layout' shows all foul sewage is proposed to discharge to the public combined sewer, and all surface water is proposed to discharge to the public surface water sewer, at a proposed discharge rate of 3.5litres/second. For your information, before STW would consider a connection to the public sewer for surface water discharge STW would request that soakaways are investigated. If these are proven to not be feasible on site (with satisfactory evidence) we would consider a connection to the public surface water sewer with flows restricted to the proposed discharge rate of 3.5 litres/second.

Please note if you wish to respond please send it to Planning.apwest@severntrent.co.uk where STW will look to respond within 10 working days. If your query is regarding drainage proposals, please email to the aforementioned email address and mark for the attention of Rhiannon Thomas (Planning Liaison Technician).

3. Police Informative

The Police advise that Document Q would apply.

Door-sets and windows to PAS 24 standard or higher, currently PAS24:2016.

'For apartments or multi-occupancy buildings, this access point designation also covers any door intended to provide privacy or security to the occupant.'

<https://www.securedbydesign.com/guidance/building-regulations#part-q-home-types->

Security is sometimes forgotten when buildings are built, extended or added and this will be installed more easily if included during construction.

The applicant may consider the following.

Construction site security.

https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf

Compliance with SBD Homes Guide including below.

Fencing and gates to the front building lines.

(SBD Homes 2019 Page 19 10.4)

Clear boundary demarcation.

Particularly corners preventing cut across desire lines access.

(SBD Homes 2019 Page 18 10.)

All ground floor windows and any accessible windows should have at least one pane of 6.8mm laminated glass. This includes French doors and patio doors and should improve the standard of security to the more vulnerable ground floor windows.

Laminated glass meeting the requirements of BS EN 356:2000 class P1A is required in the following areas:

- any window located within 400mm of a door-set (to ensure the integrity of the locking system)
- easily accessible emergency egress windows with non-lockable hardware (a requirement of PAS 24:2016)
- easily accessible roof lights with non-lockable hardware. SBD Homes 2019 page 38 22.

Security such as alarms and cctv are sometimes forgotten. More easily included during construction.

The applicant may consider the following.

Suitable lighting will provide some security. External LED lights with daylight sensors to 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/>

The Police 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

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

Door-sets and windows to PAS 24 standard or higher, currently PAS24:2022.

The applicant to refer to crime prevention and home security advice contained within SBD New Homes. Please see : [HOMES_GUIDE_2023_web.pdf](#) (securedbydesign.com)

The Police recommend security using the principles of Secured By Design.

Below is a link to secured by design commercial, police approved crime reduction information guidance.

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

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

If required cycle stores, approved products, are recommended (SBD Homes 2023 page 85, 64). Located in a clearly visible area.

3. Advertisement Consent

This permission does not grant consent for any signs or advertisements, illuminated or non-illuminated. A separate application may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992 or subsequent legislation.

5. Fire Officer Informative

Please see below comments from West Midlands Fire Service on Application No: 22/0977.

Due to the site having listed buildings, it is recommended that advice be sought from the local authority conservation officer prior to any commencement of works.

Approved Document B, Volume 1, Dwellings, 2019 edition incorporating 2020 and 2022 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.
- e. A facility to store building information for firefighters to complete their tasks.

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 dwellinghouses, access for a pumping appliance should be provided to within 45m of all points inside the dwellinghouse. Every elevation to which vehicle access is provided should have a suitable door(s), not less than 750mm wide, giving access to the interior of the building.

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).

Dead Ends including cul-de sacs

Dead ends including cul-de sacs should be avoided but where not possible the following should be applied.

The main problem with dead ends and cul-de sacs is access in an emergency and the issue of obstructions such as parking. In these circumstances fire service personnel are committed to approach on foot carrying equipment to deal with the situation. 225 to 250 metres carrying equipment is considered a maximum for efficient fire-fighting operations.

Dead ends/cul-de sacs roadways should be a minimum of 5.5 metres in width.

Vehicle Access

Dead end/cul de sac access routes must not exceed 180 metres in length unless.

a) an emergency vehicle access is provided which complies with item 3.8.2, or b) the carriageway width is increased to 7.3 metres and complies with the requirements of item 3.8.3. The provision of an emergency vehicle access is preferred to the alternative of increasing the carriage width to 7.3 metres.

3.8.2 Emergency Vehicle Access

a) A suitable means of preventing the use by other vehicles must be provided at the time of construction.

b) The height of 4.1 metres minimum, width 3.7 metres minimum and the construction of the access road are sufficient to allow the free passage of fire appliances.

c) Neither end is obstructed by parked cars.

d) The emergency vehicle access may incorporate a pedestrian route but must not be used by statutory undertakers to accommodate underground services or public sewers.

3.8.3 Increased Carriageway Widths

a) The carriageway width is increased to 7.3 metres from the entrance to the dead-end route to the point where it is 180 metres to the end of the dead end in accordance with 3.8.3b immediately below.

b) The subsequent reduction in the width from 7.3 to 5.5 metres must occur at a road junction, at which point parking for the fire appliance at the end of the dead end must be within vision and a fire hydrant is on the pavement or ground alongside the parking space.

3.8.4 General

a) There is no maximum length to a dead end/cul-de sac access route, however, it should accommodate no more than 150 dwellings.

b) A turning circle or hammer head should be provided in any dead end greater than 20 metres in length. It should be provided either at the end or within 25 metres of the end please see Approved Document B – Volume 2.

c) When inspecting plans with regard to access it may be necessary to accept a temporary situation or phased approach until the matter can best be resolved.

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).

Informative Notes for Listed Building Consent application Reference no. 22/0977

No tv aerials or satellite dishes may be fixed / attached to the exterior of the listed buildings

END OF OFFICERS REPORT