



Economy, Environment and Communities, Development Management

Planning Committee

Report of Head of Planning and Building Control on 30 November 2023

Plans List Item Number: 1

Reason for bringing to committee

Council owned land

Application Details

Location: THE GUILDHALL, 8, HIGH STREET, WALSTALL

Proposal: CHANGE OF USE TO OFFICE, WORKSHOP AND CREATIVE SPACES WITH NEW WINDOWS AND REFURBISHMENTS.

Application Number: 23/0629

Case Officer: Stephanie Hollands

Applicant: Walsall Council

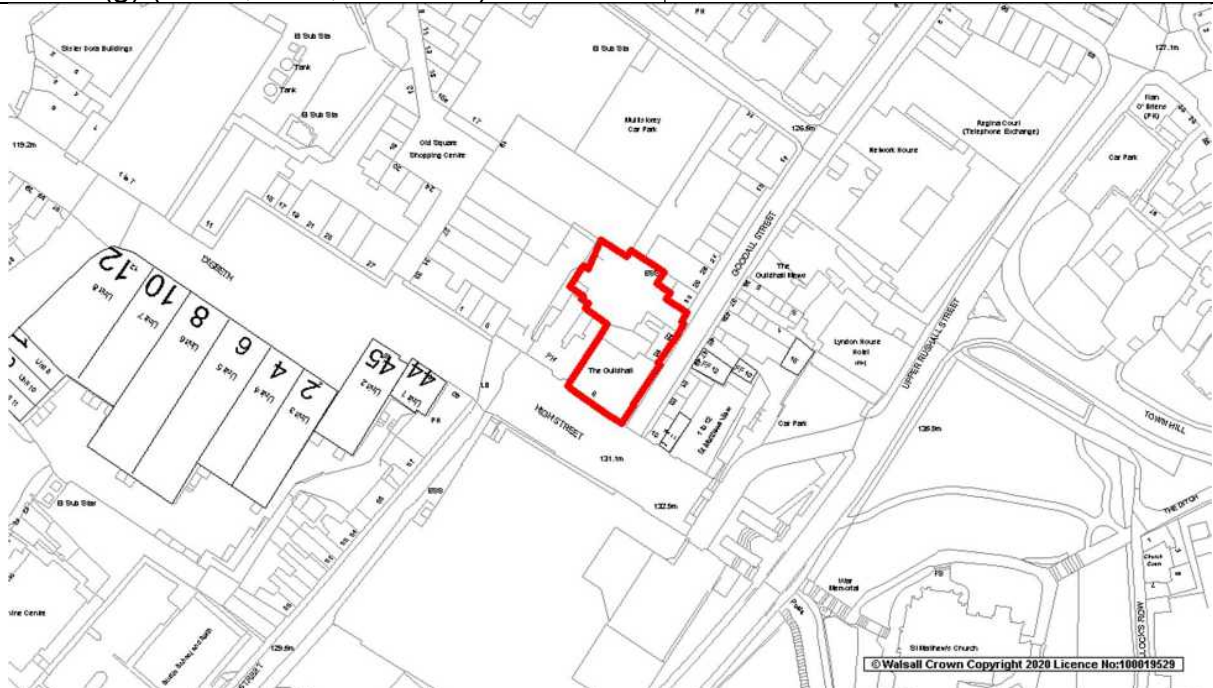
Ward: St Matthews

Agent: Anil Parmar

Expired Date: 24-Aug-2023

Application Type: Full Application: Major Use Class E(g) (Office, R&D, Industrial)

Time Extension Expiry: 08-Dec-2023



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Recommendation:

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;
- Addressing concerns regarding flood risk/drainage;
- Subject to no further objections from statutory consultees in response to the amended plans received.

Proposal

Change of use to office, workshop and creative spaces with new windows and refurbishments.

The proposal seeks to change the use of the Guildhall, former Police Station and 32 and 24 Goodall Street into office space, workshop and creative spaces. The proposal would include a café, co-working and flexible space, exhibition space and specialist workshops. The proposal would also include new windows, refurbishments, and installation of lifts. The buildings would form the Creative Industries Enterprise Centre.

The planning application is supported by the following documents:

- Preliminary Ecological Assessment
- Design and Access Statement
- Heritage Statement and Impact Assessment
- Site Investigation Forms

Site and Surroundings

The site comprises of the Guildhall number 8 High Street, the former Police Station, Goodall Street and numbers 32 and 34 Goodall Street.

Guildhall

The Guildhall is a Grade II* Listed building of more than special historic and architectural interest. It fronts High Street and returning onto Goodall Street.

In 1865-7 the centre block and east wing were demolished and replaced by a two-storey red brick and ashlar (upper floors) and rusticated ashlar (ground floor) building. The sandstone used to construct the Guildhall is from Attleborough.

Built on sloping site, of two storeys divided by entablature, with basement at left-hand side. Six bays. Outer bays project and are flanked by pilasters, other bays divided by engaged columns: Doric on the ground floor and Composite above. Ground floor rusticated. Windows have round heads, moulded imposts, and angle shafts. Those on the ground floor carved masks representing the seasons through the four ages of man, those above have keystones. Left-hand bay has two windows, one above the other, with flat heads. The second bay is narrow and has a doorway with stepped keystone. Above is an oeil-de-boeuf. On the first floor is a brick niche for a statue, the statue of justice, which is much older than the Guildhall, as it originates from the original Guildhall, 1823. The arm of the statute has fallen off and sits within the Guildhall, it once held the scales of justice. Above the statute are the arms of the Borough.

The right-hand bay has a doorway with round head, moulded imposts, and mask. The right-hand return wall, facing Goodall Street, is of three bays and is treated in a similar manner, except that the bays of the first floor are divided by Doric pilasters. The carved masks on the Goodall Street elevation are of three females. The railings at the front of the Guildhall fronting High Street are set in stone piers and are formed of two different designs. On the roof of the Guildhall are urns.

The Guildhall was designed by G B Nichols in an Italianate style and contained a council chamber, mayor's parlour, a court wing, corporation offices, cells and stores. The guildhall gradually lost its functions, chiefly with the building of the Town Hall in the early 20th century. It continued as a magistrate's court until the 1970s and was converted into shops in the 1980s.

Former Police Station

The former Police Station is Grade II Listed and is of special historic and architectural interest. It is located on Goodall Street and dates from around 1866. It is a brick building with stucco dressings. A symmetrical composition of three storeys, and three bays divided by rusticated pilasters. Eaves cornice, and open pediment over central bay. Windows to outer bays tripartite, with Venetian windows to second floor with elliptical arches. Central doorcase has segmental arch with keystone. Adjoins the Guildhall and forms part of a group of C19 civic buildings. The Heritage Statement references the Police Charge room being contained within the ground floor.

Numbers 32 and 34 Goodall Street sit to the north of the former Police Station. The building is constructed in red brick and is two storeys high. It constructed in the mid-1980s after the demolition of the Assembly Rooms that once stood there.

Surroundings

To the left of the Guildhall is the former Dragon Inn public house, a three-storey building dating from approx. c1773, it incorporated part of earlier guildhall. The façade has three storey canted bays with moulded cornice and bands between floors and C20 metal casements-with glazing bars, and parapet stepped up in centre. It has a doorcase to right. The former Dragon Inn is Grade II Listed.

To the north of 32 and 34 Goodall Street is the former School of Art, a locally listed building. To the east of the Guildhall are numbers 10, 11 and 12 High Street, Grade II Listed buildings. The Church of St Matthew, Grade II* sits at the top of Church Hill. Walsall Memorial Gardens, Registered Park and Garden, Grade II are located to the west of the church of St Matthew. On the opposite side of High Street is a modern supermarket development and to the west of the supermarket is George Street. Market Tavern, a locally listed building sits at the junction of George Street and High Street.

Church Hill Conservation

All three sites sit within Church Hill Conservation Area. Church Hill Conservation Area is registered on Historic England's Heritage at Risk Register as being in a bad condition.

Relevant Planning History

Most recent:

APP No.	PROPOSAL	DECISION	DATE
BC50956P/C	Listed Building Consent: Demolish existing shop fronts within the building.	Grant Listed Building Consent	01/04/1998
BC50954P/C	Change of Use: Conversion of ground floor and balcony area to form restaurant and retention of existing offices at first and second floors.	Grant Permission subject to Conditions	01/04/1998

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 7 – Ensuring the vitality of town centres**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 14 – Meeting the challenge of climate change, flooding and coastal change**
- **NPPF 15 – Conserving and enhancing the natural environment**
- **NPPF 16 – Conserving and enhancing the historic environment**

On **planning conditions** the NPPF (para 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 in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided unless there is a clear justification.

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

National Planning Policy Guidance

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

Reducing Inequalities

The Equality Act 2010 (the '2010 Act') sets out 9 protected characteristics which should be taken into account in all decision making. The **characteristics** that are protected by the Equality Act 2010 are:

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

Of these protected characteristics, disability and age are perhaps where planning and development have the most impact.

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

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

protected characteristics in each circumstance in order to ensure they are not disadvantaged by a scheme or proposal.

Development Plan

www.go.walsall.gov.uk/planning_policy

Saved Policies of Walsall Unitary Development Plan

- 3.15
- GP2: General Principles
- ENV23: Nature Conservation and New Development
- ENV25: Archaeology
- ENV27: Buildings of Historic or Architectural Interest
- ENV29: Conservation Areas
- ENV32: Design and Development Proposals
- T7: Car Parking

Black Country Core Strategy

- ENV1 Nature Conversation
- ENV2 Historic Character and Local Distinctiveness
- ENV3 Design Quality
- ENV4 Canals
- ENV5 Flood Risk Sustainable Drainage Systems and Urban Heat Island
- CSP2: Outside Regeneration Corridor
- CSP3: Environmental Infrastructure
- CSP4: Place-Making
- EMP6: Cultural Facilities and the Visitor Economy
- CEN1: The Importance of the Strategic Centres for the Regeneration Strategy
- CEN3: Growth in the Strategic Centres

Walsall Site Allocation Document 2019

- EN1: Natural Environment Protection, Management and Enhancement
- EN2: Ancient Woodland
- EN4: Canals
- EN5 Development in Conservation Areas
- M1: Safeguarding of Minerals Resources
- RC1: Outside Regeneration Corridor

Walsall Town Centre Area Action Plan 2019

AAPLV5: Protecting and Enhancing Historic Character and Local Distinctiveness

AAPLV6: Securing Good Design

AAPINV2: St Matthew's Quarter

AAPS1: Primary Shopping Area

AAPB2: Social Enterprise Zone

AAPLE2: Sport and Cultural Facilities

Supplementary Planning Document

Conserving Walsall's Natural Environment

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

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

Survey standards

- NE4 – Survey Standards

The natural environment and new development

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

Development with the potential to affect trees, woodlands and hedgerows

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

Designing Walsall

- DW1 Sustainability
- DW3 Character

Air Quality SPD

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

Shop Front SPD

- SF1: Historic shop fronts
- SF2: Shop front proportions
- SF3: Materials in shop fronts
- SF4: Colour finishes
- SF5: Access to shops
- SF6: Advertisements
- SF7: Illumination
- SF8: Shop front security

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 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (2019)
- Understanding Historic Buildings: A Guide to Good Recording Practice (2016)

Consultation Replies

Officer's comments in italics

Archaeology: No objection.

Conservation Officer: Support

Ecology Officer: No objections subject to conditions.

Environment Agency: No objection. Based on the information received this appears to be a planning proposal which does not require direct consultation with us, as it is a listed building consent. Therefore, we have no comments.

Environmental Health – Provided the following comments:

- With reference to the Public Café part of the application, details as to the types of food being served and methods of food preparation have not been provided. So

therefore, we cannot make a comment concerning this in consideration of the following:

Where the types of food being produced and/or methods of food preparation which will require mechanical extraction/ventilation the following would apply:

- Full details of the type and specification of plant and equipment installed for the purposes of ventilation and extraction of cooking odours shall be submitted to and approved in writing by the Local Planning Authority.
- The approved plant and equipment shall be maintained in accordance with the manufacturer's recommendations and instructions thereafter.

Reason: To minimise the potential for noise and odour nuisance to neighbours, and to ensure the satisfactory functioning of the extract equipment.

The Applicant has confirmed that the café usage is limited to cold or hot drinks and cold food only (no provision for hot food preparation). There will be no provision for any extraction system relating to hot food preparation. It is therefore considered the above condition is not necessary.

Environmental Health now have no adverse comments and provide a non-material advisory.

Environmental Protection: No objection - there are no significant noise, water, air or land pollution concerns associated with the application that require addressing

Lead Local Flood Authority: Objection - Insufficient information on has been submitted to demonstrate that an acceptable drainage strategy is proposed

Amended information has been supplied and the LLFA have been re-consulted on this basis, their response is awaited at the time of writing this report.

Local Highways Authority: No objection subject to conditions relating to retention of parking and provision of a cycle shelter.

Planning Policy: Strongly supported.

Public Lighting: No objection. There are no proposals that affect existing public lighting in this application. There are lighting columns in the vicinity however and care should be taken not to damage any part of the public lighting installation.

West Midlands Fire Service: No objection. Note for applicant.

West Midlands Police: No objection. Note for applicant.

Representations

The application was advertised by way of the display of a site and press notices and notification letters sent to 54 surrounding properties. The public consultation time expired 13th July 2023. No comments were received.

Determining Issues

- Principle of Development
- Heritage Assessment
- Character and Appearance of the Area
- Amenity of Neighbours and Amenity of Future Occupiers
- Highways
- Ecology
- Flood Risk / Drainage
- Archaeology

Assessment of the Proposal

Principle of Development

The proposal can be strongly supported on strategic planning policy grounds. It will bring a leisure, cultural and employment use into the town centre and make good use of a historic building. The proposal reflects the changing nature of town centre uses away from retail.

The site lies close to the area in George Street allocated by the AAP for social enterprises, so there is the potential for synergy between these uses.

Subject to heritage details, the proposal also involves the removal of unsympathetic internal sub-divisions from the building that are of recent addition.

Heritage Assessment

The Guildhall is a Grade II* Listed building of more than special historic and architectural interest. The Guildhall fronts High Street and returning onto Goodall Street. It is a two-storey red brick and ashlar (upper floors) and rusticated ashlar (ground floor) building divided by an entablature with basement at the left-hand side. The Guildhall has six bays, the outer bays project and are flanked by pilasters, other bays divided by engaged columns: Doric on the ground floor and Composite above. Windows details include round heads, moulded imposts, and angle shafts and the ground floor windows include carved masks representing the seasons through the four ages of man, windows at first floor have keystones. The left-hand bay has two windows, one above the other, with flat heads. The second bay is narrow and has a doorway with stepped keystone. Above is an oeil-de-boeuf. On the first floor is a brick niche for a statue, the statue of justice, which is much older than the Guildhall, as it originates from the original Guildhall, 1823. The arm of the statute has fallen off and sits within the Guildhall, it once held the scales of justice. Above the statute are the arms of the Borough. The right-hand bay has a doorway with round head, moulded imposts, and mask. The right-hand return wall, facing Goodall Street, is of three bays and is treated in a similar manner, except that the bays of the first floor are divided by Doric pilasters. The carved masks on the Goodall Street elevation are of three females. The railings at the front of the Guildhall fronting High Street are set in stone piers and are formed of two different designs. On the roof of the Guildhall are urns. The Guildhall is constructed from sandstone from Attleborough and is built on a slope. The Guildhall was designed by G B Nichols in an Italianate style and contained a council chamber, mayor's parlour, a court wing, corporation offices, cells and stores.

The former Police Station is Grade II Listed and is of special historic and architectural interest. It is located on Goodall Street and dates from around 1866. It is a brick building with stucco dressings. A symmetrical composition of three storeys, and three bays divided by rusticated pilasters. Eaves cornice, and open pediment over central bay. Windows to outer bays tripartite, with Venetian windows to second floor with elliptical arches. Central doorcase has segmental arch with keystone. The Police Station adjoins the Guildhall and forms part of a group of 19th century civic buildings.

Numbers 32 and 34 Goodall Street is a two-storey building that sits to the north of the former Police Station, it is constructed in red brick with a pitched tiled roof. It constructed in the mid-1980s after the demolition of the Assembly Rooms that once stood there.

The Guildhall, former Police Station and numbers 32 and 34 Goodall Street sit within Church Hill Conservation Area. Church Hill Conservation Area is registered on Historic England's Heritage at Risk Register as being in a bad condition.

Paragraph 195 of the NPPF states *"the LPA should identify and assess the significance of any heritage asset that may be affected by the proposals"* and paragraph 199 of the NPPF requires *"great weight should be given to the asset's conservation"*. Paragraph 200 of the NPPF states *"any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance II* listed buildings should be wholly exceptional"*. Paragraph 201 of the NPPF states *"where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent"*. Paragraph 202 of the NPPF states *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.

In principle the proposed works to bring two vacant designated heritage assets back into use through the conversion and re-use of the Guildhall and the Former Police Station are supported. The re-use of numbers 32 and 34 Goodall Street are also supported in principle.

Much of the original interior of the Guildhall has been removed through previous works undertaken in the 1980s, however, the ornate ceiling remains, and the proposed works seek to retain this ceiling. The proposal to remove the mezzanine floor within the Guildhall would allow greater appreciation of the former double height Court Room. There is also the potential to reinstate timber sash windows similar to the original design along the High Street elevation, which would significantly improve the character of the Guildhall. The proposed works within the Police Station, in particular the installation of the platform lift would have negligible negative impact, as the works are limited to a smaller area. The proposed new entrance doors and reconfiguring of the Police Station entrance to include a level access, whilst will have some harm to the character for the Listed building, however, any harm would be outweighed by the re-use of the vacant Listed building.

Further details are required through planning conditions for both the planning permission and listed building consent regarding the proposed works, including external works stonework repairs, repairs to the Statue of Justice, window survey and details of new windows and refurbishment of existing windows, doors schedule and details, external steps, bin and cycle stores, details of the air source heat pumps and proposed signage, proposed works to the new police station entrance, signage, colour analysis of the exterior of the Police Station and the original timber sash windows to the Guildhall and internal works, details of the removal of the mezzanine floor, details of new openings, details of relocation of the sandstone paving flags, details of the boxed lobby, details of new full height internal glazing, new metal work inclusion in the main staircase, new finials to the newel posts, further survey work in the basement, recording of internal spaces, measured surveys of internal and external spaces, glazed partitions and screens, new openings, installation of new lifts, mechanical, electrical and plumbing works, internal floor alterations to the Police Station, details of the proposed lifts, including details of a fire strategy that safeguards and retention of the original ornate ceiling to the former court room, original vaulted brick ceilings and masonry in the basement, retention of original windows in the Guildhall and the brick flooring in the basement. Further details are sought on the fire strategy in relation to the ornate ceiling in the former Court room and clarification is sought in respect of the retention and restoration of the Court Room ceiling including the retention of historic vents and cornices, which should be left exposed.

The proposed works would have less than substantial harm to the significance of the Grade II* listed building, the Guildhall. The scale of harm is weighed as low. The proposed works would have less than substantial harm to the significance of the Grade II listed building, the Former Police Station, the scale of harm weighed as low. The proposed works would have less than substantial harm to the significance of Church Hill Conservation Area, the scale of harm weighed as low. The proposal would need to be weighed against public benefits and optimum viable use. Planning Practice Guidance, Historic Environment Chapter sets out further guidance on this. <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

The proposed works range from having a negligible minor, neutral, to moderate positive impact, on balance any minor negative impacts are outweighed by the proposed investment and re-use of the two vacant Listed buildings in the town centre. The recent alterations and amendments to the proposed scheme has resulted in fewer interventions to the historic buildings and the simpler plan form has reduced the impacts on the Listed buildings. The proposed works to the Guildhall and Police Station would not adversely alter the character and value of the Listed buildings, the limited architectural interest and historic interest would remain. The proposal complies with Policy ENV27 of the UDP.

The site is within the Church Hill Conservation Area, which is registered on Historic England's Heritage at Risk Register as being in a bad condition. Development proposals in Conservation Areas should seek to enhance and preserve the character and appearance of the Conservation Area in accordance with Saved UDP policy ENV29 and EN5 of the SAD. The proposed external alterations to the Guildhall and Police Station would enhance and preserve the character and appearance of Church Hill Conservation Area, especially given its heritage at risk status, being in a bad condition. The shopfront design of numbers 32 and 34 need to be redesigned, so they are meet the requirements of the Shopfront SPD and to ensure the shopfronts enhance and preserve the character

and appearance of Church Hill Conservation Area, especially given its heritage at risk status, being in a bad condition.

The Conservation Officer has no objection to the proposed development.

The principle of the re-use of two vacant designated heritage assets within Church Hill Conservation Area and numbers 32 and 34 Goodall Street are supported, as the proposal would bring two vacant heritage assets and a third vacant building back into economic viable use.

Amended plans have been sought to include historic fabric recently discovered as part of the soft investigative works. Amended plans have been submitted illustrating the original historic fabric discovered and to be retained within the Guildhall. Further clarification is sought on the points raised above, in particular the retention and restoration of the Court Room ceiling including the retention of historic vents and cornices, which should be left exposed. Clarification has not been provided, as such these details will be sought by planning condition.

Amenity of Neighbours and Amenity of Future Occupiers

Environmental Health raise no objections to the proposed development.

Environmental Protection is of the opinion that there are no significant noise, water, air or land pollution concerns associated with the application that require addressing.

Character and Appearance of the Area

The site falls within the Church Hill Conservation Area. The immediate area is characterised by a mix of commercial properties and mostly being two to three storeys in height. The area has a mixed character. As such the proposed conversion in this location is considered to reflect some of the emerging character of the area and street scene.

The proposed conversion with as much of the original features and structure being retained is considered in this instance to be acceptable and the finer detail of the proposed works including details of the cycle store are considered can be secured by planning conditions that meet the 6 tests.

Highways

Vehicle access to the site will be retained via the existing priority-controlled access arrangement on Goodall Street, which provides access into an existing courtyard area. Auto-tracking has been provided for the largest vehicle proposed to regularly serve the site as well as a 3.5t panel van.

A total of 3no. car parking are to be retained / provided, of which 1no. space would be allocated as an Electric Vehicle Charging Point. In addition, 3no. motorcycle bays would be provided.

Given the sustainable location of the development site the Highway Authority accepts the proposed number of car parking spaces, however in line with Walsall Unitary Development Plan (UPD) a percentage of spaces must be allocated for disabled car parking.

Policy T13 A3 *“Parking should be allocated for disabled people in all developments as near as possible to the most appropriate entrance to the building. 10% of all parking spaces should be reserved for this purpose, with a minimum of 1 reserved space. Each reserved space should be at least 4.8m by 3.6m....”*

The Highway Authority recommends 1 no. parking space is reserved for blue badge holders.

The site is positioned within Walsall Town Centre and as such is located within a sustainable location with a variety of local amenities and sustainable transport links accessible within a short distance of the site.

Current Government policy and guidance places significant emphasis on the promotion of sustainable transport modes for all new developments. This forms part of a long-term strategy to reduce the reliance on private car trips. The proposed site location complies with National Planning Policy Framework 2021 (NPPF) paragraph 110 bullet point a) and b), and Paragraph 112 bullet point a).

The development proposals include 4no. secure cycle stands able to store a maximum of 8 cycles.

In light of the comments above, the Highway Authority supports the proposal, subject to recommended conditions.

Ecology

No ecological protected site, non-statutory or statutory site are within or adjacent to the application site.

No objection to this application on ecological grounds. However, planning conditions should be incorporated into any permission granted to ensure that the mitigation stated with the Preliminary Ecological Appraisal report completed in April 2023 is undertaken.

As per Paragraph 174 and 180 of the National Planning Policy Framework, the development should result in a biodiversity net gain. The plans provided show that native green infrastructure will be incorporated within the plan.

Flood Risk / Drainage

The Lead Local Flood Authority object to the proposed development. Insufficient information has been submitted to demonstrate that an acceptable drainage strategy is proposed. The Lead Local Flood Authority would therefore recommend that planning permission is not granted. The proposed development may present risks of flooding on-site and/or off-site if surface water runoff is not effectively managed. The absence of an adequate drainage strategy is therefore sufficient reason in itself for a refusal of planning permission. It can be seen from the existing plans and proposed plans that there is a change in the building footprint.

Additional information has been submitted to address the above concerns. The consultation response from The Lead Local Flood Authority will be provided in the supplementary paper.

Archaeology

The current Guildhall building was constructed 1866-67, but obviously being central within the historic core of Walsall, there were earlier buildings here.

A map of 1824 shows buildings annotated 'Town Hall and Dragon Inn', likely to date to the 18th century. The building adjacent (Green Dragon Inn Listed Building) is said to be c1773 and incorporates part of the earlier guildhall. GREEN DRAGON INN, Non-Civil Parish - 1115709 | Historic England.

The Green Dragon Inn is also reported to have re-used 16th century mouldings and 15th and 16th century timber framing in the roof, and the original guildhall/townhall may date to this period, as historically there was a mayor and a council in Walsall by the beginning of the 16th century, and the town acquired its first Town Hall by the middle of the 16th century.

Previous archaeological work in the area (in 2005), at 12-14 High Street, identified cellars associated with the 18th century buildings there. It also showed that in areas not truncated by cellars, features and deposits dating to late 15th/16th and 17th centuries survived.

The Archaeology Officer has no objections to this proposal but recommend archaeological monitoring of the excavations for the lift shaft, to identify and record any remains exposed during this work.

Conclusions and Reasons for Decision

In weighing the material planning considerations, taking into account the local and national planning guidance, 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 contribute to the regeneration of the area and enhance the vitality and viability of this part of the town centre and the Church Hill Conservation Area, which is currently listed on the Heritage at Risk Register. The proposal is considered would have a positive contribution to the local character and distinction as the property is in an advanced state of dereliction.

On balance, it is considered that the proposed use would not prejudice the function of the Town Centre, with a sympathetic external renovation of the building making a positive impact to the immediate location and the town centre.

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 spoken with the applicant's agent and in response to concerns raised regarding ecology, heritage, lead local flood authority and highways, amended plans have been submitted which enable full support to be given to the scheme.

Recommendation

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;
- Addressing concerns regarding flood risk/drainage;
- Subject to no further objections from statutory consultees in response to the amended plans received.

Conditions and Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans details and documents:
 - Heritage Statement and Impact Assessment dated 17/06/2023
 - Heritage Impact Assessment Addendum dated 13/11/2023
 - Intrusive Site Investigation to establish ceiling construction received 05/09/2023
 - Site Investigation (SI) Forms received 05/09/2023
 - Preliminary Ecological Appraisal Report received 26/05/2023
 - Design and Access Statement received 26/05/2023
 - Floor Plans Proposed revision P2 received 09/11/2023
 - Sections Proposed revision P1 received 09/11/2023
 - Elevations Proposed revision P1 received 09/11/2023
 - 3.5t Panel Van Vehicle Tracking P01 received 27/07/2023
 - DB32 Refuse Vehicle Tracking P01 received 27/07/2023
 - Site Location Plan rev 0 received 26/05/2023
 - Floor Plans Existing revision P0 received 26/05/2023
 - Elevation + Section Demolition revision P0 received 26/05/2023

- Floor Plans Demolition revision P1 received 09/11/2023

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 the development hereby approved, details of the Air Source Heat Pumps including the design, dimensions and location of the Air Source Heat Pumps shall be submitted in writing and approved in writing by the local planning authority.

3b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved design, dimensions, and location of the Air Source Heat Pumps.

Reason: To ensure the design, dimensions, and location of the Air Source Heat Pumps they preserve the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV32 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

4. a. Prior to the commencement of the development hereby approved, details of the cycle shelter and bin enclosure shall be submitted in writing and approved in writing by the local planning authority.

4b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved cycle shelter and bin enclosure details.

Reason: To ensure the design and location of the cycle shelter and bin enclosure enhances and preserves the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV32 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

5. a. Prior to the commencement of the development hereby approved, material details and the external finish of the proposed gates at the side of numbers 32 and 34 Goodall Street shall be submitted in writing and approved in writing by the local planning authority.

5b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved gate details.

Reason: To ensure the materials and external finish of the proposed gates enhance and preserve the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV32 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

6. a. Notwithstanding the proposed frontages to 32 and 34 Goodall Street as shown on drawing number 9333-CMPG-XX-XX-DR-A-1031-P1 submitted on 9th November 2023 and prior to the commencement of the development hereby approved, revised shop frontage designs and details of the proposed materials and external finish shall be submitted in writing and approved in writing by the local planning authority.

6b. The development hereby permitted shall not be carried out otherwise than in accordance with details approved under part A of this condition.

Reason: To ensure the new frontages to 32 and 34 Goodall Street enhance and preserve the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV32 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

7. a. Prior to the commencement of the development hereby approved, details of all replacement windows to the front elevation of 32 and 34 Goodall Street shall be submitted in writing and approved in writing by the local planning authority. The details shall include the type of material and glazing details.

7b. 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 windows to 32 and 34 Goodall Street enhance and preserve the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV29 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

8. a. Prior to the commencement of the development hereby approved, a full suite of materials for the exterior phase of the development shall be submitted in writing and approved in writing by the local planning authority. The details shall include:
- i. Masonry
 - ii. Joinery (soffits, eaves)
 - iii. Rainwater goods
 - iv. Roofing
 - v. Flashing

8b. 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 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV27 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

9. a. Prior to commencement of the development hereby permitted details of landscaping including both hard and soft landscape works and earthworks shall be submitted in writing to and approved in writing by the Local Planning Authority.

9b. Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.

9c. If within a period of 5 years from the date of the planting of any trees shrubs or plants, that tree shrub or plant, or any tree shrub or plant planted in replacement for it, is removed, uprooted, destroyed or dies and or becomes seriously damaged or diseased in that period another tree shrub or plant of the same species and size as that originally planted shall be planted at the same place.

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

- 10.a. Prior to commencement of the development hereby permitted details of a programme of site investigations and archaeological work shall be submitted in writing to and approved in writing by the Local Planning Authority.

10b. No development shall be carried out on site otherwise than in accordance with the approved details.

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

- 11.a) The development hereby permitted shall not be brought into use until details of the proposed cycle shelter, which shall be secure, covered and illuminated, have been submitted to and approved in writing by the Local Planning Authority and the facility shall be fully implemented in accordance with the approved details.

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

Reason: To encourage sustainable modes of travel and in accordance with the Black Country Core Strategy Policy TRAN4.

12. Prior to occupation of the development hereby permitted the provision of two bat boxes and two bird boxes should be installed as part of the development and retained thereafter with access openings maintained free of obstructions.

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

- 13.a. Notwithstanding the annotation on 9333-CMPG-XX-XX-DR-A-1031-P1 submitted on 9th November 2023, the proposed external steps to the rear of the Police Station shall be finished in black.

Reason: To ensure colour finish of the proposed steps better matches and blends into the background of the Police Station and to enhance and preserve the character and appearance of Church Hill Conservation Area in accordance with Sections 66 and 72 of the Town and Country (Listed Building and Conservation Areas) Act 1990, Saved Policies ENV29 and ENV29 of the UDP, Policy EN5 of the SAD and Policy ENV2 of the BCCS.

14. If bat/s or evidence of bats are found during these operations:

1. Natural England or the ecologist for this project must be contacted.
2. The bat/s should not be handled or touched, and the vicinity of the roost shall be immediately reinstated.
3. No further destructive works shall be carried out to the building until the need for Natural England licence has been established.
4. Within one week of finding bats or evidence of bats, a written report by the ecologist shall be submitted for the approval in writing of the Local Planning Authority, recording what was found, and proposing appropriate mitigation measures, including a timetable for their implementation
5. Work on the building shall only continue in accordance with the approved mitigation measures and on the approved timetable and/or in accordance with the terms of any Natural England licence issued

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

15. The rear parking area shall thereafter be retained and used for no other purpose. One parking space shall be allocated for disabled users and marked out accordingly.

Reason: To encourage sustainable modes of travel and in accordance with the Black Country Core Strategy Policy TRAN4.

Notes for Applicant

Environmental Health - Non-Material Advisory Comment

The applicant is advised to ensure that the café food preparation area meets the necessary food safety requirements in terms of the facilities provided.

The following link provides additional information:

<https://go.walsall.gov.uk/business/food-businesses-and-their-safety>.

West Midlands Fire Service

Approved Document B, Volume 2, Buildings other than dwellings, 2019 edition incorporating 2020 and 2022 amendments – for use in England.

West Midlands Police

The applicant may consider the following:

Construction site security.

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

External LED lights with daylight sensors to the external walls of buildings in particular at entry and exits.

Additional LED lighting for parking areas.

If lighting columns are used ensure they are not located close to the perimeter. Similarly any trees.

That might provide an offender with a climbing aid.

A monitored alarm system. cctv particularly identifying at all doors.

Alarm and cctv installers should be approved by NSI, SSAIB or both

See <https://www.nsi.org.uk/> and <https://ssaib.org/>

I would recommend security using the principles of Secured By Design.

Below is a link to secured by design guides, including Commercial, police approved crime reduction information.

<https://www.securedbydesign.com/guidance/design-guides>

Secured By Design security standards are explained.

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

Any cycle storage should be located close to entrances in clear view, natural surveillance.

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

Please see :

https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NE_W_version_2.pdf

HIGHWAY AUTHORITY

1. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

2. The applicant will be required to obtain the necessary Road Opening

Permit from the Highway Authority for the construction of the dropped kerb footway crossing within the public highway. For further information and application forms please visit the Council's webpage under

Transport and Streets - Parking Roads and Vehicles.

END OF OFFICERS REPORT