

Planning Committee

Report of Head of Planning and Building Control on 20 June 2024

Plans List Item Number: 3

Reason for bringing to committee

Applications on Council owned land or Council assets where the Council intends to 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

A petition has been received objecting to this proposal with 72 signatories.

Application Details

Location: LAND ADJACENT TO 2 THORPE ROAD AND CAR PARK, SPOUT LANE, WALSALL

Proposal: THE PROPOSED ERECTION OF 5 NO. 3 BEDROOM HOUSES AND 1 NO. 4 BEDROOM DETACHED HOUSE WITH OFF-STREET CAR PARKING ON A VACANT AREA OF LAND ON THE LAND ADJACENT TO SPOUT LANE, WALSALL.

Application Number: 22/1692

Case Officer: Helen Smith

Applicant: Zanna Priest

Ward: Palfrey

Agent: Jessica Ward

Expired Date: 03-Mar-2023

Application Type: Full Application: Minor Use Class C3 (Dwellinghouses)

Time Extension Expiry: 26-Mar-2024



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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;

- Further bat survey on northern redbrick wall
- The amendment and finalising of conditions.
- No further comments from a statutory consultee raising material planning considerations not previously addressed.
- Addressing the outstanding biodiversity comments raised by the council's ecologist.

Proposal

This planning application seeks planning permission for the construction of 5 no. 3 bedroom houses and 1 no. 4 bedroom detached house on a vacant area of land on the land adjacent to Spout Lane, Walsall. This is a revised scheme with a reduction of the number of proposed residential units from 8 to 6.

The proposal includes a terrace of 3 no. terraced dwellings (plot no's 3 to 5) and a pair of semi-detached houses (plot no's 1 and 2) fronting Spout Lane. A detached house would be positioned on a linked plot of derelict land located between 2 & 2b Thorpe Road and 22 West Bromwich Street (plot no. 6).

Plot no's 1 to 5 would each have a provision of two off-street parking spaces and plot no. 6 would have 3 off street parking spaces. Parking for plot no's 4 and 5 would be located to the rear of plot 5 towards the end of this part of Spout Lane cul de sac.

Plots 1 to 5 would have small front gardens with their private amenity space to the rear. Private amenity space areas for these proposed dwellings would range in area from 51 sq. metres (plot 4) to 206 sq. metres (plot 1). Plot no. 6 would have a private amenity space measuring 236 sq. metres.

Rear garden boundaries would be defined by 1.8 metres high close boarded timber fencing with concrete posts and gravel boards. 0.9 metres high metal railings and gates would separate front gardens from public footpaths.

The proposed new dwellings would have gable roofs and be built of brick with an exterior render finish at first floor.

Front and rear facing habitable room windows are proposed for the new dwellings and proposed side facing windows would serve non-habitable rooms.

The application is supported by the following documents:

Design and Access Statement
Transport Statement
Heritage Impact Statement
Arboricultural Impact Assessment
Biodiversity Net Gain Information
Preliminary Ecological Appraisal Report
Refuse (Vehicle)Tracking Plan

Site and Surroundings

The application site is a large irregular parcel of land located between Spout Lane and Thorpe Road. This section of Spout Lane is a cul de sac and temporary fencing currently encloses the application site fronting Spout Lane.

Spout Lane is an unclassified adopted cul -de-sac with a 5.5m wide carriageway and 1.8m wide footways either side. There are junction protection 'No Parking' restrictions around the junction with West Bromwich Street. Thorpe Road is an unclassified adopted predominantly terraced style residential street which has a 7m wide carriageway and 1.8m wide footways either side.

To the south-east of the application site are terraced dwellinghouses no's 2 to 14 Thorpe Street. On the opposite side of Spout Lane to the north-west of the application site is the former Royal Oak PH, club house and a hand car wash facility to the rear. There are three storey residential flats to the south-west of the application site. Fronting West Bromwich Street, to the north-east of the application site are several retail businesses.

The application site is positioned mostly within the boundary of Caldmore Local Centre and is outside the Cannock Chase Special Area of Conservation 15 km Zone of Influence. The Application site is within a Low-Risk Coal Development Area.

The parcel of land on Spout Lane was formerly a car parking area with a former neighbourhood office and there are numerous deciduous trees on the application site. There are no protected trees on the application site however there is a protected Sycamore tree (TPO reference 1/1972) in the neighbouring garden close at 6 Thorpe Road. An approximately 2 metres high boundary wall encloses the application site to the rear of numbers 2 to 6 Thorpe Street. The rear of number 2 West Bromwich Street has a first-floor entrance with external stairs and windows facing the application site.

There are no side facing windows in the side elevation of number 2/2b Thorpe Street. Retail premises on West Bromwich Street have first floor flats with rear facing habitable room windows facing the application site.

Part of the site frontage on Spout Lane shares a boundary with Caldmore Green Conservation Area but the application site sits outside the conservation area. The application site is within Flood Zone 1 with a low probability of flooding.

The proposed site plan advises that there is a redundant Western Power distribution underground cable to the rear of no's 8 to 22 West Bromwich Street and within the application site. An existing Virgin Media duct sits to the west of the site with a 0.6 metres easement as annotated on the proposed site plan.

Relevant Planning History

Land Adjacent to 2b Thorpe Road

BC47634P - Change of Use to carpark (to include demolition of garages) – granted permission subject to conditions 30/12/96.

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 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 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

GP2: Environmental Protection

GP5: Equal Opportunities

GP6: Disabled People

ENV10: Pollution

ENV11: Light Pollution

ENV14: Development of Derelict and Previously Developed Sites

ENV18: Existing Woodlands, Trees, and Hedgerows

ENV23: Nature Conservation and New Development

ENV25: Archaeology

ENV32: Design and Development Proposals

ENV33: Landscape Design

T7 - Car Parking

T9 – Cycling

T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

CSP4: Place Making

HOU2: Housing Density, Type and Accessibility

ENV1: Nature Conservation

ENV2: Historic Character and Local Distinctiveness

ENV3: Design Quality

ENV8: Air Quality

Walsall Site Allocation Document 2019

HC2: Development of Other Land for Housing

EN1: Natural Environment Protection, Management and Enhancement

EN5: Development in Conservation Areas

T4: The Highway Network

T5: Highway Improvements

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

DW2 Safe and Welcoming Places

DW3 Character

DW4 Continuity

DW5 Ease of Movement

DW6 Legibility

DW7 Diversity

DW8 Adaptability

DW9 High Quality Public Realm

DW10 Well Designed Sustainable Buildings

Consultation Replies

Clean and Green – No objections subject to highway recommendation being conditioned to allow access for bin lorries.

Conservation Officer – No objections subject to conditions

Ecology – Biodiversity matters to be resolved and updated at the committee meeting.

Environmental Health – No adverse comments received.

Environmental Protection – No objections subject to conditions requiring the provision of a construction environmental management plan, ground contamination survey and acoustic assessment along with the inclusion of informative notes for the applicant.

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. This can be included as an informative note.

Local Highway Authority – No objections subject to the inclusion of planning conditions and an informative note.

Police – No objections and security recommendations made which can be included as a planning condition for the applicants along with an informative note.

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

Strategic Planning Policy – No objections on planning policy grounds.

Representations

(Local Planning Authority comments in brackets and italics)

A petition entitled “We Support a Car Park in Spout Lane” has been forwarded by Councillor Bashir with 72 signatures. The petition is in support of a car park on Spout Lane rather than a housing development.

In addition to the petition objections have been received from 6 neighbours on the following grounds:

Poor security *(a security planning condition can be included if approved as recommended by the Police)*

Traffic and parking congestion

Untidy site *(the re-development of this derelict site is considered would improve this situation)*

Loss of parking

Increased pollution *(the installation of electric vehicle charging points would be required by Building Regulations)*

Impact on local services such as GPs, schools from increased population *(the proposal is only for 6 additional affordable dwellinghouses located within a Local centre and it is considered that any increased demand on local services is likely to be limited).*

Detrimental impact on local businesses *(the application site is located within a Local Centre with access to sustainable transport options and it is considered that any additional impacts on local businesses is likely to be limited)*

Car park needed for shoppers and an approach was made to the council’s Asset Management Team expressing interest to purchase the land for car parking. *(A report was taken to Cabinet on 20 April 2022 which set out that interest had been received on the possible use for car parking and also for affordable housing. It was decided at Cabinet to dispose of the land for affordable housing only).*

Access to private garage from Spout Lane *(10 Thorpe Road) this would be a private legal matter between landowners however amended plans indicate that access to the garage at no. 10 would be maintained)*

Impact on trees and wildlife

17 spaces may be created for new houses, but existing street parking would be lost *(the Local Highway Authority has no objections, and the application site is located within a local centre with access to sustainable transport options).*

Access for bin lorries, fire trucks and large vehicles

Noise and disturbance during and after construction

Determining Issues

Principle of Development

Heritage Assessment

Design, Layout and Character of the Area

Amenity of Existing and Future Occupiers

Highways

Ecology
Trees
Ground Conditions and Environment
Local Finance Considerations

Assessment of the Proposal

Principle of Development

Most of the application site lies in Caldmore Local Centre and is adjacent to (but outside) the Caldmore Conservation Area. SAD policy SLC2 identifies the site as a development opportunity with formal car parking listed as a suitable use. However, it is understood that the site has been the subject of anti-social behaviour including fly-tipping for many years, including when part of it was formerly used as a car park. Consequently, it is considered that built development can therefore be supported subject to all other matters being acceptable.

SAD policy SLC1 states that housing within local centres will be supported especially where centre uses are proved to be contracting and unlikely to be restored or expanded in the period covered by this plan, provided that the retail / service function of the centre is not prejudiced.

SAD policy HC2 also states that the provision of housing on previously developed sites not allocated for housing by the Plan will be encouraged provided the criteria in the policy are met.

The provision of housing on previously developed land is also supported by NPPF paragraphs 60, 119 and 120.

This application site is in a sustainable location located within a well-established mixed character area close to amenities and services. The NPPF seeks to deliver a wide choice of quality homes to create sustainable, inclusive, and mixed communities.

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

Taking into account the aforementioned it is considered that in this instance the principle of the change of use of the land to residential use and the construction of 6 new dwellings is considered appropriate subject to all other matters being satisfactory.

Heritage Assets

The council's conservation officer has commented that a Heritage Statement has been submitted which describes the character of the Caldmore Conservation Area and references poor alterations including modern shop frontages and the installation of UPVC windows.

The Caldmore Conservation Area is listed on Historic England's Heritage at Risk Register as being in a poor condition and whilst the application site is not within the conservation area it is adjacent to this area.

Any new development proposals should seek to enhance and preserve the historic character and appearance of the Caldmore Conservation Area due to the proximity to the conservation area.

The council's conservation officer considers that the proposal would have less than substantial harm to the significance and setting of Caldmore Green Conservation Area, the scale of harm being weighed as low.

The proposed residential scheme is considered enhances the setting of the Caldmore Conservation Area and would enhance the character of the Conservation Area by developing a vacant parcel of land, currently utilised for disposal of waste materials.

The conservation officer has raised concerns regarding the use of UPVC windows and timber is the preferred material for conservation areas. This site sits outside the conservation area, and it is considered that this requirement cannot be conditioned or defended at appeal in this location. A condition to ensure that new boundary railings are finished in colour black can be included.

Design, Layout and Character of the Area

The amended proposal which has reduced the number of dwelling houses on the application site from 8 to 6 no. is considered would provide a more satisfactory residential layout and enable the retention of a greater number of trees on the site. The surrounding area is mixed in character and is defined by residential uses, including terraced, two storey dwelling houses with mostly gable roof designs and three storey flats and first floor flats above retail units.

The proposed houses with a brickwork face and gable roofs would pick up on the characteristics of the properties in the immediate vicinity. The plot sizes are similar in size to neighbouring houses, which has a mixed character, and they are considered to be appropriate for this location.

The proposed position of the detached house on plot no. 6 is set back 1.2 metres from the front elevation of 2/2b Thorpe Road this would provide a narrow separation for occupiers from the public footpath where 0.9 metres high railings would be installed. Whilst this building line differs to the existing building line to the south, it is considered that as it is at the start of a row of terraced dwellings rather than in the centre this dwelling would have a limited impact on the existing character of the area whilst making efficient use of brownfield land.

A planning condition can be included requiring details of the proposed materials to be used to safeguard the appearance of the proposed development, if approved

The design and layout of the development is considered appropriate and in compliance with policy with the exception of the smaller private rear gardens for plot no's 4 and 5. Whilst these are less than the recommended minimum area of 68m² referred to in Appendix D of Designing Walsall SPD, at 51 and 50 sq. metres respectively, it is considered on balance that this is acceptable in this instance as there are Urban Open Space areas located on Camden Street and Palfrey Park within walking distance.

Furthermore, as a presumption in favour of sustainable development as described in the NPPF paragraph 11d) is in effect it is considered that a shortfall in private amenity space standards in this instance would not support a refusal reason on these grounds.

The proposal is supported by a proposed boundary treatment plan which includes 1.8 metres high timber close boarded fencing and 1.8 metres high timber gates to secure private rear gardens. 0.9 metres high metal railings and gates with a simple vertical design are proposed to define the boundaries in the public realm. These can be conditioned to have a black colour finish.

The proposal demonstrates the re-use of brownfield land and saved UDP Policy ENV14 encourages the reclamation and development of derelict and previously developed land

wherever this is technically feasible. In this instance it is considered that the re-use of this site for residential purposes on balance would be a positive re-cycling of existing under-utilised land within an existing residential area and would help to address fly-tipping issues on the existing site.

Amenity of Existing and Future Occupiers

Plot no's 1 to 5 would face across Spout Lane towards the club house and car wash facility to the rear of the Royal Oak Public House. Proposed rear facing habitable room windows in these plots would face rear habitable room windows in no's 2/2b to 10 (evens) Thorpe Road across a separation distance of 36 metres which exceeds the recommended separation distance of 24 metres between facing habitable room windows referred to in Appendix D of Designing Walsall SPD by 12 metres.

The proposal would meet the aims of the Council's 45-degree guidance, as referred to in Appendix D of Designing Walsall SPD in respect of habitable room windows in plot no's 1 to 6. This advice is the Council's tool to guide development and planning applications in relation to neighbour's light and outlook.

The two-storey side elevation of 2/2b Thorpe Road is blank and this would face the proposed side elevation of the dwelling house on plot no. 6. The opposite side elevation of the proposed new dwelling would face first floor habitable room windows in flats above retail premises, no's 20a and 20 West Bromwich Road across a separation distance of 14 metres which exceeds the recommended 13 metres separation distance between habitable room windows and walls more than 3 metres in height, as referred to in Appendix D of Designing Walsall SPD.

The impacts of the proposed new dwellings have been assessed and are considered if supported, would have a limited additional impact on existing neighbours' amenity and would on balance provide an acceptable level of amenity for future occupiers subject to conditions for additional security measures being installed in the homes to assist in protecting future occupiers, such as upgraded windows, doors, boundary treatments, external lighting and alarms to name a few.

To protect resident's amenity a planning condition would be included to remove householder permitted development allowances for extensions and roof alterations not included as part of this proposal because of the limited garden size for plot no's 4 and 5.

The application site plan includes recycling/refuse/garden bin storage in the proposed rear gardens and bins will need to be present on the footpath on the bin collection day.

To protect existing residents' amenity during any approved construction works the submission of a Construction Environment Management Statement could be conditioned to ensure that no works commence on the site until a scheme is in place to safeguard the amenities of the area and the occupiers of the neighbouring properties and to control the environmental impacts of the development.

Highways

The Local Highway Authority have commented that new dropped kerb vehicle accesses are proposed to serve the parking spaces to the new dwellings. A turning facility in Spout Lane is proposed to facilitate a turning manoeuvre for a refuse collection vehicle. To control potential indiscriminate parking in the turning area and the approach along Spout Lane, the Local Highway Authority have advised that they will require that the turning area is adopted as publicly maintainable highway and controlled by the implementation of double yellow 'No

Parking' restrictions together with extended double yellow 'No Parking' restrictions on Spout Lane.

The Local Highway Authority have commented that on street parking is prevalent long Spout Lane which is not unexpected being within the Local Centre. However, in order to restrict on-street parking on Spout Lane to facilitate unimpaired vehicle access to the site's new turning facility for the refuse collection vehicle and emergency vehicles, the existing No Parking restrictions are required to be extended along Spout Lane to beyond the development by the Local Highway Authority.

This requirement will need to be delivered by a Grampian condition as the Spout Lane element of the development cannot be supported by the Highway Authority unless the new parking restrictions are implemented.

The single dwelling on Thorpe Road can be exempted from the Grampian Condition if it is expedient to do so as it is not affected by the Traffic Regulation Order (TRO) requirement.

Two parking spaces per dwelling is proposed which accords with T13 parking policy.

A Traffic Regulation Order will be necessary to control on street parking on Spout Lane to allow unfettered access for emergency vehicles and the refuse collection vehicle. This would be via the Traffic Regulations Act and not planning legislation.

The Highway Authority considers the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF December 2023 paragraph 115.

Notwithstanding the details shown on Amended Proposed Site Layout – Option 2 plan, drawing 103 Rev G, the parking spaces to Plot 1 shall be slightly adjusted to provide a 2.4m x 3.4m pedestrian visibility splay, clear of all structures and planting above 600mm in height above highway footway level.

This is to ensure drivers emerging from the parking spaces are not blind to approaching pedestrians due to the adjoining third party 1.8m high boundary wall. This is particularly important as there are a relatively high number of pedestrian movements at this Local Centre location.

Considering the comments above, the Local Highway Authority supports the proposal, subject to the inclusion of recommended planning conditions in respect of visibility splay, parking, hard surfacing and drainage, footway crossing and construction environmental management statement. The applicants have agreed to the requirement of a TRO in principle.

Ecology

The planning application is supported by a preliminary ecological appraisal report which concludes that the application site has low bat roosting potential however the report recommends that no works within the proximity of a northern redbrick mortar wall on the site should commence until further survey work is carried out. This northern wall has a cavity, missing mortar and holes leading to potential crevices that may be utilised by crevice dwelling bats.

The preliminary ecological appraisal report recommends further mitigation in respect of amphibians and hedgehog during habitat clearance, landscaping to include native vegetation, bird boxes, lighting consideration for bats and precautionary working methods for badgers. The

report concludes that the site has limited floristic diversity and little value for fauna. Specific enhancement recommendations for the site include the following:

Planting of linear features such as hedgerows and trees between garden plots where possible, to add commuting features within the site.

The inclusion of 'hedgehog highways' to facilitate movement across the site. This includes holes of 13 x 13cm at the bases of fence panels, leaving a sufficient gap beneath gates and/or leaving brick spaces at the bases of brick walls.

These enhancement recommendations can be conditioned if the proposal is supported.

The council's ecologist has advised that to meet the requirement of the NPPF this proposed development is required to only show a net gain in biodiversity from the proposed development. This requirement has been in place since the amendments to the NPPF and sit separately to the mandatory BNG outlined within the Environment Act. As such use of the DEFRA metric is not a requirement in this instance.

Currently the proposals as they stand from the proposed site layout and ecological report suggest that there will be a significant net loss on site because of the development.

As such the ecologist would seek for the consideration to be taken by the applicant to look at the proposals to see how net gain can be met. This could potentially be met through the incorporation of native species, the retention and enhancement of existing habitats or through changes in the landscape design. This aspect will be updated at planning committee.

Trees

This planning application is supported by an arboricultural impact assessment report dated 06/02/24. The report comments that the site has a large open area of hard standing with mature trees located in small landscape areas around the perimeter of the site highly visible from Spout Lane.

The proposed design has sought to incorporate the existing trees and minimise the requirement for tree removal as far as possible. 4 no. category B trees in total would require removal, identified as T7, T8, T10 and T11. A planning condition can be included requiring the provision of a landscaping scheme with replacement planting of a suitable native species.

The arboricultural impact assessment report advises that there are several areas of extensive hard surfacing on the application site and within the root protection zones (RPAs) of retained trees namely T1, T2, T3, T4, T8, T9 and T13. The report advises that if the removal of these areas is undertaken with care the proposal should not have a detrimental impact upon the retained trees.

Construction plot no's 1, 2 and 5 will require some excavation within the RPAs T9 and T12 (both London Plane). To prevent damage full details of tree protection and construction methods should be conditioned.

Ground Conditions and the Environment

Environmental Protection officers have advised that they have no information regarding ground conditions on the site, historical land uses (other than from maps), and no information was supplied in support of the application regarding any contamination or ground gas issues on the site.

Environmental Protection advise that prior to any works commencing on the site, the applicant will need to undertake an investigation, which depending upon the findings of the first stage (desktop review), may or may not require additional ground investigations. This can be conditioned.

Environmental Protection comment that the installation of electric vehicle charging points will be required as Building Control Regulations were updated in June 2022, introducing requirements for electric vehicle charging points within England, Building Regulations 2010, Approved Document S, 'Infrastructure for the Charging of Electric Vehicles'.

Environmental Protection have commented that the application site may be affected by noise from the activities located opposite the site on Spout Lane (hand car wash and social club). There are other nearby residential premises to the proposed site, and it is considered that a noise survey would be warranted in this location. This can be conditioned.

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 6 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 weight that should be given to this, including in relation to other issues, is a matter for the decision-maker.

This is a previously developed site is situated in a mixed commercial/residential area and is in a sustainable location with access to public transport. The principle of residential development of the site is therefore considered appropriate and complies with policies HOU2 and CSP4 of the BCCS, Policy HC2 of the SAD and ENV14 of the UDP.

The proposed amended layout is considered acceptable and in compliance with policies GP2, ENV32 and T13 of the UDP and Appendix D of Designing Walsall.

The design of the new properties is considered appropriate and includes key characteristics of the surrounding properties and would comfortably within the street scene, in compliance with policy ENV32 of the UDP.

Access and parking arrangements would comply with policies GP2 and T13 of the UDP.

It is considered that the development would have a limited impact on the amenities of surrounding occupiers in compliance with policies GP2 and ENV32 of the UDP and Appendix D of Designing Walsall.

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 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

Further bat survey on northern redbrick wall

The amendment and finalising of conditions.

No further comments from a statutory consultee raising material planning considerations not previously addressed.

Addressing the outstanding biodiversity comments raised by the council's ecologist.

Conditions and Reasons

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

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

2: This development shall not be carried out otherwise than in conformity with the following approved plans: -

Location Plan, drawing no. SL-BTP-00-LP-DR-A-4115_100, deposited 13/03/24.

Site Plan as Existing, drawing no. SL-BTP-00-DR-A-4115_101, deposited 13/03/24.

Arboricultural Impact Assessment Report dated February 2024, deposited 13/03/24.

Preliminary Ecological Appraisal, dated January 2024, deposited 13/03/24.

Refuse Tracking, drawing no. 27930_08_020_01, deposited 13/03/24.

Transport Statement dated March 2024 ref 27930-TRAN-0801, deposited 13/2/24.

Proposed Site Plan-Option 2, drawing no. SL-BTP-00-ZZ-DR-A-4115_103.G, deposited 13/03/24.

Proposed Boundary Plan, drawing no. SL-BTP-00-ZZ-DR-A-4115_116.B, deposited 13/03/24.

Demolition Site Plan, drawing no. SL-BTP-00-DR-A-4115_104.A, deposited 13/03/24.

Design and Access Statement Rev. A deposited 13/03/24.

Heritage Impact Statement, Rev. A 5/3/24, deposited 13/03/24.

Proposed Elevations – 3B5P Semi-Detached, drawing no. SL-BTP-00-E-DR-A-4115_113.D, deposited 13/03/24.

Proposed Elevations-3B5P Terrace with Aspect View, drawing no. SL-BTP-00-E-DR-A-4115_111.D, deposited 13/03/24.

Proposed Elevations-4B6P Detached, drawing no. SL-BTP-00-E-DR-A-4115_109.D, deposited 13/03/24.

Proposed Floor Plans-3B5P Semi-Detached, drawing no. SL-BTP-00-ZZ-DR-A-4115_112.D, deposited 13/03/24.

Proposed Floor Plans-3B5P Terrace with Aspect View, drawing no. SL-BTP-00-ZZ-DR-A-4115_110.D, deposited 13/03/24.

Proposed Floor Plans-4B6P Detached, drawing no. SL-BTP-00-ZZ-DR-A-4115_108.D, deposited 13/03/24.

Proposed Elevations-4B6P, drawing no. SL-BTP-00-E-DR-A-4115_107.D, deposited 13/03/24.

Proposed Elevations 00-5no. 3B5P, drawing no. SL-BTP-00-E-DR-A-4115_105.E, deposited 13/03/24.

Indicative Below Ground Drainage Layout, drawing no. 5018961-RDG-XX-ST-PL-C-0502-P01, deposited 21/12/22.

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

3. Notwithstanding the details submitted and prior to the commencement of the development hereby permitted, the existing double yellow 'No Parking' restrictions shall be extended on both sides along Spout Lane to include and go beyond the development's proposed new turning facility, the full extent of which to be agreed in writing and in advance with the Local Highway Authority. The full cost of the new Traffic Regulation Order to facilitate the imposition and implementation of the No Parking restrictions shall be met by the applicant (*see Highway Authority Informative Note to Applicant no. 4*).

Reason: To ensure that access to the development for Emergency and Refuse Collection vehicles shall be maintained at all times and in accordance with saved UDP policies GP2 and ENV32 and SAD policy T4.

4. Notwithstanding the details submitted and prior to the commencement of the development hereby permitted shall not be carried out otherwise than in accordance with the installation a vehicle footway crossing to align with the new access shall be installed to the satisfaction of the Highway Authority including the removal and reinstatement back to full kerb height of any vehicle footway crossing made redundant as a result of the development (see Local Highway Authority Informative Note no. 2)

Reason: To ensure the satisfactory completion and operation of the access, in accordance with UDP Policy GP2 and SAD policy T4 and in the interests of highway safety.

5. i) Prior to the commencement of development hereby permitted a site investigation, ground contamination survey and assessment of ground gas having regard to current best practice shall be undertaken. (see Note for Applicant CL1)

5. ii) Prior to the commencement of development hereby permitted a copy of the findings of the site investigation, ground contamination survey and ground gas assessment, together with an assessment of identified and/or potential hazards arising from any land contamination and/or ground gas shall be forwarded to the Local Planning Authority. (see Note for Applicant CL2)

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

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

5. v) If during the undertaking of the approved remedial works or during the construction of the approved development unexpected ground contamination not identified by the site investigation required by part i) of this condition is encountered, development shall cease until the 'Remediation Statement' required by part iii) of this condition has been amended to address any additional remedial or mitigation works required and has been submitted in writing to and approved in writing by the Local Planning Authority.

5. vi) A validation report setting out and confirming the details of the remedial measures implemented, cross referencing those measures with the approved Remediation Statement, together with substantiating information and justification of any changes from the agreed remedial arrangements shall be submitted in writing to and agreed in writing by the Local Planning Authority prior to the development being brought into use. (see Note for Applicant CL3)

5. vii) The development shall not be carried out otherwise than in accordance with the approved Remediation Statement.

Reason: To ensure safe development of the site and to protect human health and the environment. In addition, to meet the requirements of the National Planning Policy Framework and saved UDP policies GP2 and ENV10.

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

- i. Construction working hours (*please refer to the Informative note*)
- ii. Parking and turning facilities for vehicles of site operatives and visitors.
- iii. Loading and unloading of materials.
- iv. Storage of plant and materials used in constructing the development.
- v. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway.
- iv. Measures to prevent flying debris.
- v. Dust mitigation measures
- vi. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper)
- vii. Noise and vibration (if piling and/or ground stabilisation is to be conducted) mitigation measures.
- xiii. Re-covering of holes, mammal escape ladders from holes, tree/hedgerow protection, newts, bats, badger protection.

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

Reason: To ensure that no works commence on the site until a scheme is in place to safeguard the amenities of the area and the occupiers of the neighbouring properties and to control the environmental and highway impacts of the development in accordance with saved policies GP2 and ENV32 of Walsall's Unitary Development Plan BCCS policy ENV1, and SAD policy T4 plus NPPF paragraphs 180 and 191 & the Natural Environment SPD.

7. a) Prior to the commencement of development hereby permitted an acoustic assessment shall be undertaken to determine whether there may be any noise impacts from the businesses located opposite the site.

7. b) The acoustic report shall be submitted to the Local Planning Authority in writing, and mitigation measures shall be submitted in writing to and approved in writing by the Local Planning Authority to ensure that future occupants will not be significantly affected by noise.

7. c) The agreed acoustic mitigation measures shall be installed/undertaken as approved by the Local Planning Authority prior to occupancy and maintained for the lifetime of the development.

Reason: To ensure future occupants will not be subjected to excessive noise, thereby protecting their health, and to ensure nearby businesses will not be subjected to undertaking improvements due to new residential premises and in order to protect the amenities of the future occupiers of the premises.in compliance with Policies GP2, ENV10 and ENV32 of the UDP.

8. 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.

8. 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.

8. c) The development hereby permitted shall not be occupied until the approved drainage has been installed in accordance with the approved plans.

Reason: To ensure the development is provided with a satisfactory means of drainage and reduce the risk of creating a flooding problem and to minimise the risk of pollution and to safeguard water quality from fuels, oils and other chemicals from the site in accordance with NPPF14, BCCS Policy ENV5 and saved Walsall's Unitary Development Plan policy GP2 and ENV40.

9. Prior to commencement of the development hereby permitted including any site preparation, site clearance or bringing onto site of machinery or materials shall not be carried out otherwise than in accordance with the approved tree protection measures recommended Arboricultural Impact Assessment dated February 2024, deposited 13/03/24 on page no's 8 to 9 inclusive and the approved tree protection measures shall thereafter be retained for the entire construction period.

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

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

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

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

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

11. a) Prior to the commencement of building operations above damp proof course of the development hereby permitted a schedule of materials to be used in the construction of the external surfaces including details of the colour, size, texture, material and specification of bricks, render, roof tiles, windows, doors, rainwater products and soffits shall be submitted in writing to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the satisfactory appearance of the development and to comply with saved policies GP2 and ENV32 Walsall's Unitary Development Plan.

12. Notwithstanding the details shown on the Proposed Site Plan-Option 2, drawing no. SL-BTP-00-ZZ-DR-A-4115_103.G, deposited 13/03/24 and the first occupation of any dwelling an amended plan shall be provided amending the parking spaces to Plot 1 to provide a 2.4m x 3.4m pedestrian visibility splay, clear of all structures and planting above 600mm in height above highway footway level.

Reason: This is to ensure drivers emerging from the parking spaces are able to see approaching pedestrians due to the adjoining third party 1.8m high boundary wall and in accordance with saved UDP policy ENV32 and BCCS policy T4.

13. Prior to occupation of the development hereby permitted on the Spout Lane element of the development, the proposed refuse and emergency vehicle turning facility as shown drawing no. 27930_08_020_01, deposited 13/03/24 shall be fully implemented to the satisfaction of the Highway Authority. The turning facility shall be offered for adoption as publicly maintainable highway and include tactile pedestrian crossings to provide a continuous fully accessible pedestrian route across the site frontage (see Local Highway Authority Informative Note no. 2).

Reason: To ensure that access to the development for emergency and refuse collection vehicles can be always maintained and in accordance with saved UDP policy ENV32 and BCCS policy T4.

14. a) The development hereby permitted shall not be occupied until the parking spaces serving that dwelling shall be fully implemented, the spaces being fully consolidated, hard surfaced in tarmac or similar material and drained so that surface water run-off from the area does not discharge onto the highway or into any highway drain.

15. b) The parking spaces shall thereafter be retained for the lifetime of the development and used for no other purpose.

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

16: Notwithstanding the information provided and the first occupation of the development the specific ecological enhancement recommendations referred in in paragraph 5.3.2 on page 17 of the Preliminary Ecological Appraisal Report dated January 2024 shall be implemented and retained for the lifetime of the development.

Reason: To conserve local amphibian, hedgehog, bird, badger populations and to comply with NPPF11, BCCS Policy ENV1, saved UDP Policy ENV23 & the Natural Environment SPD.

17: Notwithstanding the information provided and the first occupation of the development a plan showing the location of bird boxes shall be submitted in writing to and approved in writing by the Local Planning Authority.

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

18. Notwithstanding the information shown on submitted plans, the boundary railings hereby permitted on the proposed boundary plan, drawing no. SL-BTP-00-ZZ-DR-A-4115_116.B deposited 13/03/24 shall be finished in colour black and retained as such for the lifetime of the development.

Reason: To ensure the satisfactory appearance of the development and to comply with saved policies GP2 and ENV32 Walsall's Unitary Development Plan.

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

- All external doors to individual dwellings to be PAS24; 2022
- All ground floor windows and over accessible roofs to be PAS24; 2022
- All ground floor windows and over accessible roofs including French doors and patio doors to have not less than one pane of 6.4mm laminated glass.
- Dusk until dawn lights (white light source) to be installed adjacent to each external door
- 1.8m high closed board fencing with 0.3m trellis topper to be erected around the perimeter of each dwelling.
- All garden access gates shall be of the same construction of the perimeter fencing, self-closing, facing the street, lockable with a key front and rear, designed to not create any climbing aids
- No Lead or metal shall be used on the ground floor.
- All the dwellings shall be suitably with an intruder alarm by a registered SSAIB or NSI engineer to British Standard (BS EN 50131 Grade 2)
- All energy meters shall be placed at the front of the dwellings

Reason: To ensure the safety and security of the development and its occupiers, given the isolated nature of the development in compliance with NPPF 12 and saved policy ENV32 of Walsall's Unitary Development Plan. (See *Police Informative Note*)

20. Notwithstanding the details submitted of the development hereby permitted and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revising, revoking or succeeding that Order with or without modification, the proposed side facing windows in Plot no. 6 shall be obscure glazed to Pilkington (or equivalent) privacy level 4 and there shall be no opening parts lower than 1.7metres from the floor level of the rooms they serve and the window[s] shall thereafter be retained for the lifetime of the development.

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

21. 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 side facing windows, doors, or other openings other than those shown on the approved plans, shall be installed in any part of this development.

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

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

- Class AA enlargement of a dwellinghouse by construction of additional storeys
- Class A (enlargement, improvement, or other alterations),
- Class B (additions to the roof),
- Class C (other alterations to the roof),

shall be installed in any part of this hereby approved development.

23. a) No external lighting shall be installed on the site unless details of the lighting including the intensity of illumination and predicted lighting contours have first been submitted in writing to and approved in writing by the Local Planning Authority.

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

Reason: In the interests of the visual amenities of the area in accordance with saved policies GP2, ENV11 and ENV32 of Walsall's Unitary Development Plan and policy ENV1 of the BCCS.

Notes for Applicant

Environmental Protection Informative Note

Contaminated Land

CL1

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

CL2

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

CL3

Validation reports will need to contain details of the 'as installed' remediation or mitigation works agreed with the Local Planning Authority. For example, photographs of earth works, capping systems, ground gas membranes, and structure details should be provided. Copies of laboratory analysis reports for imported 'clean cover' materials, manufacturer's specification sheets for any materials or systems employed together with certification of their successful installation should also be submitted. Where appropriate, records and results of any post remediation ground gas testing should be included in validation reports. This note is not prescriptive, and any validation report must be relevant to specific remedial measures agreed with the Local Planning Authority.

Electric Vehicle Charging Points Informative Note

Building Regulations 2010, Approved Document S, 'Infrastructure for the Charging of Electric Vehicles', requires for the installation of charging points for new residential buildings. The Applicant is strongly advised to contact their Building Control provider and their architect to discuss requirements and implement these.

Consideration of the Future Homes Standard (not yet fully adopted) is warranted. This Standard will ensure that new homes built from 2025 produce 75-80% less carbon emissions and is likely to be enforced via modifications to existing Building Control Regulations. This may result in the eventual phasing out of new gas boilers therefore, Developers/Applicants should consider all alternatives for providing heating to their properties, not just those using gas.

Local Highway Authority Informative Note

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.

The applicant will be expected to enter into an agreement under S38/278 of the Highways Act 1980 or obtain a Road Opening Permit, whichever is the most appropriate, with the Highway Authority for all adoptable highway works and works within the existing public highway. For further advice please contact Highway Development Control Team at Stephen.Pittaway@walsall.gov.uk

The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.

The costs for the alterations of the TROs shall be fully funded by the Applicant. The applicant is advised to contact TrafficManagement@walsall.gov.uk in this respect.

Police Informative

Document Q would apply.

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

'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->

Compliance with SBD Homes Guide including below.

There should be fencing and gates to the front building lines.

(Frontage parking is preferred to side parking which is more hidden).

(SBD Homes 2019 Page 19 10.4)

Clear boundary demarcation.

Particularly corners preventing cut across desire lines access. (Low fencing can be considered).

(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 24:2022).
- 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.

Construction site security.

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

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: 2022 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

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

Severn Trent Water Informative Note

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required, there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

SITE SPECIFIC COMMENTS: Having viewed the submitted "Indicative Blow Ground Drainage Layout" (drawing: 0502 Rev: P01) we would request the above drainage condition is applied. Foul sewage is shown to discharge to the public combined sewer (manhole 2405), with surface water proposed to discharge to the public surface water sewer (manhole 2551) at a proposed discharge rate of 2litres/second. For your information, before we would consider a connection to the public surface water sewer for surface water discharge, we would request that soakaways and other SuD techniques 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 2litres/second.

IMPORTANT NOTE: This response only relates to the public wastewater network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

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

Fire Officer Informative Note

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 dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house. 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

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.

3.8.4 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)

First Page of the Petition

WE SUPPORT A CAR PARK IN SPOUT LANE

NAME	ADDRESS	EMAIL - TEL	SIGNATURE
RIZWAN MAMMAD	8 THORPE RD		
AYAZ RIAZ	159 WALSTEAD ROAD		
Mohammed H. Ismail	28 L. H. L. S. J.		
Tanzila Hameed	4 EDWARD STREET		
MOHAMMAD RIAZ	15 WHITING ST		
WASIM KEYSANI	80 AROEN RD		
M. JAHANGIR	25 WEST BAY ROAD		
S. AKHTAR	251 PLECK LANE		
N. SULTAN	50 JEBBANE DRIVE		

This petition is in support of a car park on Spout Lane. The information collected here will be used to campaign for a Car Park at the old Neighbourhood Office site in Spout Lane and not a Housing Development. By providing your information you are giving your consent for your personal information to be shared with the decision-making organisations.

END OF OFFICERS REPORT