

Economy, Environment and Communities, Development Management**Planning Committee**

Report of Head of Planning and Building Control on 09 September 2021

Plans List Item Number: 1**Reason for bringing to committee**

Major application

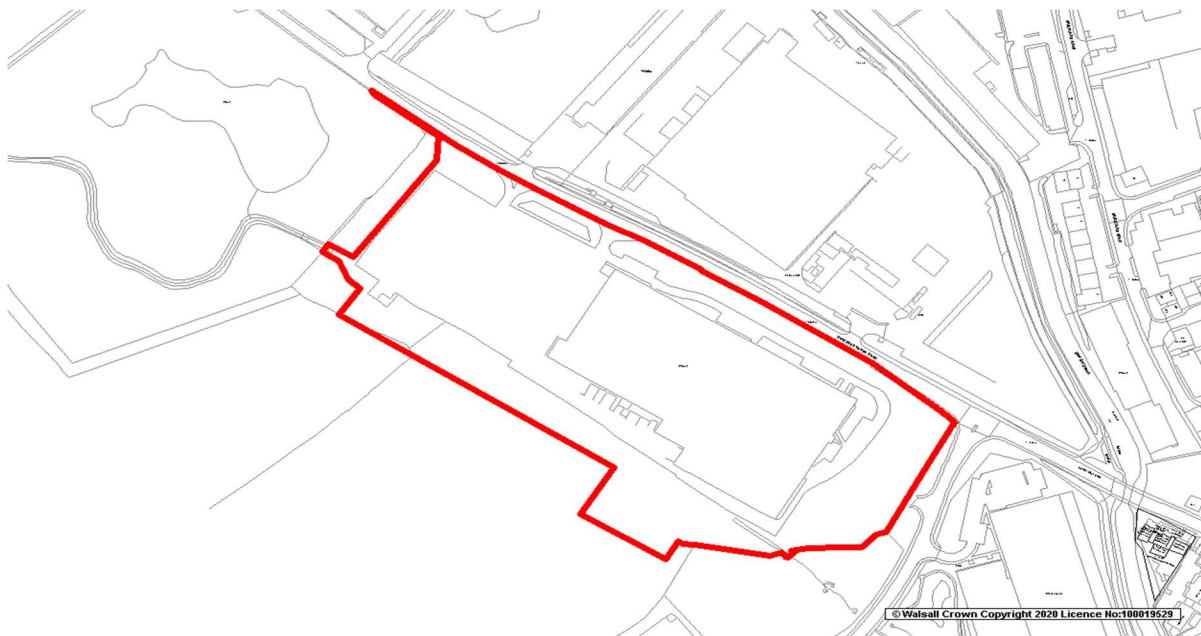
Application Details**Location:** IBSTOCK BRICK LTD, ATLAS FACTORY, STUBBERS GREEN ROAD, ALDRIDGE, WALSALL, WS9 8BL

Proposal: Extension to the existing Brick Factory building, extension to the brick stockyard, a new exhaust stack and scrubber, a new box feeder building and overhead conveyor, extension and rearrangement of employee and visitor car park, realignment and widening of the site access and landscaping works, adjoining Public Right of Way Ald17.

Application Number: 21/0626**Case Officer:** Gemma Meaton**Applicant:** IBSTOCK BRICK LIMITED**Ward:** Rushall-Shelfield**Agent:** AECOM LIMITED**Expired Date:** 19-Aug-2021**Application Type:** County Matters: Minerals Application**Time Extension Expiry:** 17-Sep-2021**Recommendation**

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

- Securing a Travel Plan via planning condition or a Section 106 Agreement as necessary;
- No new material considerations being received;
- The amendment and finalising of conditions;
- No objection from the Lead Local Flood Authority; and
- No further comments from a statutory consultee raising material planning considerations not previously addressed.



Proposal

The application proposes an extension to the existing Brick Factory building, extension to the brick stockyard, a new exhaust stack and scrubber, a new box feeder building and overhead conveyor, extension and rearrangement of employee and visitor car park, and realignment and widening of the site access and landscaping works, adjoining Public Right of Way Ald17.

The proposal will allow an increase in the maximum output of bricks from the existing 40 million bricks per annum to a maximum of 105 million bricks per annum.

The application proposal includes:

- Extensions to the existing Brick Factory to accommodate new plant and offices; The proposed extension to the clay preparation area will have a floorspace of approximately 555m². In order to accommodate the overhead conveyor from the box feeder, an area of the roof of the existing clay preparation area covering approximately 1,230m² will be raised by approximately 4.5 metres. At its highest point the roof will be 11.8m above ground level.

The Brick Factory will also be extended to the west. The additional floorspace will cover an area of approximately 1,820 m². The external materials and colours will be designed to generally match the existing Brick Factory building. The height of the extension will be approximately 9.5m in line with the existing Brick Factory building. As well as an extension to the manufacturing this area will house some additional workshop space on the ground floor and additional offices and new welfare facilities on the first floor. The facilities on the first floor will comprise male toilets and locker rooms, female toilets and locker room, a breakout area, 5 smaller office spaces, 1 meeting room and 1 larger open plan office.

- A new exhaust stack and scrubber. The new scrubber and kiln exhaust stack will be located to the west of the proposed extension to the Brick Factory building. The stack will be 30m high and will be constructed from steel. The height of the stack has been designed having regard to the results of air dispersion modelling carried out as part of the Air Quality Impact Assessment.

- Works to the existing Anchor Brook culvert in order to ensure that the culvert is able to withstand the necessary loads to accommodate the extension and operation of the brickworks. This includes temporarily damming the Brook with a downstream pumped discharge point as close to the culvert exit as possible, an assessment of the ground and if required a suitable ground improvement method will be adopted to provide an acceptable ground bearing pressure to withstand the applied loads. A suitable sub-base will be laid in layers and compacted to allow the installation of the precast culvert section in a size to match the existing. The culvert will then be overlaid with a suitable subbase ready to accept the stockyard extension concrete slab.
- An extension to the existing brick stockyard. The brick stockyard area is used for the storage of packaged bricks prior to transportation off-site by HGVs. The brick stockyard area will be extended by approximately 3,700m² to the south-west of the existing stockyard, with an additional minor extended area along the north-eastern edge bordering Stubbers Green Road of approximately 610m². The extended brick stockyard will provide a capacity of around 27 million bricks. To maintain an adequate stock level at the site, bricks will be stored on the yard to the height of 6 packs high equating to around 6 metres total storage height from ground level.
- A New box feeder building and overhead conveyor. The proposed box feeder building will house the feed hoppers and the conveyor from the hoppers into the Brick Factory. The box feeder building will have a floorspace of approximately 450m². An additional area of concrete hardstanding will be constructed to enable ramped access to the box feeder building, this will cover an area of approximately 1,005m². At its highest point the roof will be approximately 11.8m above ground level. The transportation of the clay from the clay stock area via the box feeder building and the overhead conveyor into the Brick Factory thereby removing the requirement for vehicles utilising the clay stock area to track back and forth across the Site vehicle circulation route.
- Rearrangement of employee and visitor car parks. To the south of the Brick Factory the additional hardstanding created by the car park extension will cover an area of approximately 200m². Re-arrangement of the car parks in the north and east will create a nett increase of 12 parking spaces with a total provision of 61 spaces, 8 of which with electric vehicle charging points and 7 disabled spaces, and 4 prioritised for car-sharing. The Site will also provide secure cycle storage for up to 10 cycles located in a secure cycle shelter to the west of the Brick Factory building adjacent to the employee welfare facilities.
- Widening and improvement of the existing site accesses. Vehicular access will be retained on Stubbers Green Road via an improved two-way priority junction and a reinstated egress-only priority junction to the east. In order to accommodate the extension to the Brick Factory the southern (ingress) access will be realigned approximately 12m to the north-west and widened by approximately 2.2m.
- New planting and landscaping works around the Brick Factory periphery. The area to the east of the Brick Factory and existing car park currently comprises poor semi-improved grassland with a boundary of broadleaved woodland to the east and species poor hedgerow to the north, along the boundary with Stubbers Green Road. The Landscape Masterplan, shows additional tree planting in the north-eastern corner of this area to strengthen the boundary and provide compensatory tree planting for trees removed from the brick stockyard periphery. The remainder

of the area will be landscaped and planted to provide areas of wildflower meadow interspersed with individual trees to create a more diverse habitat mix and to enhance the overall biodiversity offering of the Site. The area immediately around the existing ponds will be enhanced using a range of log sizes from the trees removed from the brick stockyard periphery to create log piles to provide suitable hibernation areas and habitat for different species.

The application is accompanied by the following documents:

A **Planning Statement**, which describes the proposal in relation to perceived material planning considerations and highlights the proposal's compliance with development plan policies.

A **Design and Access Statement**, which explains the design principles and concepts that have been applied to the development in fulfilling the operational requirements, the site context, incorporated policy, sustainability, provision to ensure access and consultation.

An **Arboricultural Impact Assessment**, which highlights that the proposed development will require the removal of three individual trees, four groups and four partial groups. This includes two trees and two partial groups classed as moderate quality (Category B) and one tree, four groups and two partial groups classified as low quality (Category C). It concludes that tree loss will be mitigated with a scheme of new tree planting as detailed in the Landscape Masterplan which will increase the quality, impact, diversity and resilience of the local tree stock – delivering a net positive benefit. The report recommends measures to protect retained trees.

An **Ecological Impact Assessment** which concludes that development has been sensitively designed and positioned with reference to the existing baseline conditions and potential pathways for impact. A gain for biodiversity will be achieved through the enhancement measures proposed, which include the proposed planting and landscaping included with the proposal including 1,530m² of wildflower meadow, installation of bat and bird boxes, and the retention of larger logs from the proposed tree felling to construct habitat piles within the retained areas of woodland. A Great Crested Newt survey did not find any evidence of the species, concluding that it is likely to be absent from the site.

A **Flood Risk Assessment** which considers all potential sources of flooding to the Site, including tidal, fluvial, groundwater, land drainage, overland flow, artificial sources, and sewer drainage arrangements, including Climate change impact of an increase the peak rainfall intensity by up to 40% and increase peak river flows by up to 20% over the lifetime of the development. It finds that The Site lies in Flood Zone 1, and as such is at low risk of fluvial flooding. Small localised areas of high risk of surface water flooding are located along the south end of the Site and stockyard, surface flood risk will not worsen as a result of the development provided that surface water management procedures are implemented as outlined in the drainage strategy report. The risk of flooding from artificial sources and sewers is considered low. The risk of flooding from groundwater is medium as indicated on the EA's Groundwater Vulnerability Map. The majority of the Site will be covered in an impermeable hardstanding surface, reducing the natural infiltration potential, and preventing it from reaching the surface. The Drainage Design Statement and Site Drainage Layout outlines how potential increases in surface water runoff can be managed on Site. Wherever possible, the developer will use SuDS to manage surface water runoff.

A Geo-environmental and Geotechnical Report which states that Based on the site history, much of the area has been worked as part of the quarry operations the area will mainly comprise of Made or Infilled Ground. The risks associated with the development in terms of contaminants, to controlled waters, for workers and off-site receptors to development infrastructure, and ground stability are assessed to be low or very low. The area is in a Coal Mining Development High Risk Area, due to the depth at which the historic workings have taken place, it is considered the risk of ground instability from underground mining is negligible. The report recommends further investigation in the form of a phase 2 ground investigation of the site.

A Landscape and Visual Appraisal which concludes that Effects on landscape character within the Study Area during Construction and Operation would be negligible on the Site and the landscape. The development proposals, when compared to the baseline condition and seen in the context of the long established minerals and industrial development of the immediate study area, constitute few changes in the view as determined by the analysis of representative viewpoints.

A Lighting Assessment which highlights that the development requires the continued use of lighting for safe site use and access. New lighting as part of the redevelopment will improve the lit condition of the Site and overall obtrusive light performance in relation to the local area. The lighting design incorporates the following mitigation strategies: careful aiming and positioning of all luminaires; strategic column placement and use of the lowest column height possible to achieve required light levels, whilst minimising tilt; limiting building mount heights to as low as possible to achieve required light levels, whilst minimising tilt; using appropriate optics for the task area and location of the luminaire; using shields, hoods, snoods, as necessary to control light distribution in sensitive areas, where needed; excluding illumination of built facades to reduce the potential for glare or increases to light spill; and using the lowest output required to achieve required lighting for areas within the site, with a matching colour temperature throughout. Based on these approaches which are incorporated into the indicative lighting strategy, the effects created by new lighting as part of the proposed development will be minimal.

A Noise Assessment which concludes that no adverse impact was predicted during the demolition construction phase with regards noise generated by proposed on site activities or noise generated by changes in traffic flows on existing roads. Noise generated during the operational phase was also assessed in accordance with the methodology detailed in BS4142. The assessment indicates a potential adverse impact, however there are baseline levels (and the BS4142 criteria derived from them) were quantified in the absence of the existing Brick Factory operations (during national lockdown in January 2021) - the baseline levels would have been higher if the Brick Factory had been operational during the monitoring period. Noise generated by onsite activities is predicted to comply with the criteria included in Condition 17 of permission 04/1603/MI/M1.

An Outline Travel Plan which provides mode-share targets and objectives for the development, including a 10% reduction in single-occupancy car trips over 5 years, with corresponding increases in car sharing, walking, cycling and bus modes. The Plan proposes a travel-plan coordinator, travel information packs for all staff, a travel notice board on site, the use of TravelWise (which provides information and discounts for sustainable travel), the implementation of car share measures, electric vehicles and charging points, cycling and walking measures including discounts, footways, cycle shelters, and cycle-to-work scheme.

A **Transport Assessment** that finds that the proposed development at the Site is forecast to result in a small net decrease in staff trips and a small net increase in HGV trips during the morning and evening peak hours of site operation. A junction impact assessment has been undertaken of the Site access junctions, with the results showing that the junctions are expected to operate within capacity in the With Development 2024 future year scenario and that the negligible increase in vehicle trip generation will not impact on the operation of the local highway network.

A **Water Framework Screening Assessment** which assesses the proposed works to the culverted section of Anchor Brook and considers that works to temporarily divert the ordinary watercourse and replace the existing culvert are considered to be low risk activities which are unlikely to result in a change of status in any elements of the Water Framework Directive. The proposals are therefore screened out of further Water Framework Directive assessment. It is recommended, if drainage design deems it necessary and feasible, that the development opportunity is used to implement a higher grade of drainage treatment than exists at present.

Site and Surroundings

The Atlas Brick Factory Site is located on the south side of Stubbers Green Road in Aldridge, Walsall. The Site, which includes the existing Brick Factory, offices, and brick storage areas, is bounded by Stubbers Green Road to the north, with Atlas Quarry lying to the immediate south and west of the Brick Factory. Access to the existing Brick Factory and Quarry is from Stubbers Green Road.

Land use within the Site comprises the Brick Factory building incorporating offices, clay preparation, brick production, brick despatch, scrubber and stack; brick stockyard area, general yard area, bunkers and outbuildings. There is parking for staff and visitors as well as periphery landscaped areas with tree and shrub planting. Anchor Brook (culverted) also runs through the site.

The land use to the immediate south of the Site is the associated Atlas Quarry and clay stock area, with areas of currently unworked land to the north-west. To the east, there are commercial business premises located along Wharf Approach. To the north of Stubbers Green Road, there are other large commercial and industrial premises made up of industrial buildings, car parking and stockyards. Wienerberger Sandown Brickworks and Quarry is located to the north of Stubbers Green Road.

The closest residential properties are located approximately 295 metres to the north-west on Stubbers Green Road and along Sherwood Walk, Rufford Way, Barns Lane and Pool View, approximately 430 metres to the south-west.

The site is relatively flat. Stubbers Green SINC is adjacent to the site along the western boundary. The boundary of the Green Belt runs through the site. The Brick Factory building, a proportion of the surrounds and the existing car park are not located within the Green Belt. The majority of the existing brick stockyard and land to the immediate south and west of the Brick Factory (clay stock area and Quarry) is within the Green Belt.

Relevant Planning History

20/1589- Environmental Impact Assessment (EIA) Screening Opinion for widening of site access, rearrangement of employee and visitor car park, extensions to the existing Brickworks building to accommodate new plant and offices, new exhaust stack, an extension to the existing brick stockyard, new box feeder building and

overhead conveyor, investigation of and works to the existing anchor culvert if necessary and new planting and landscaping works. EIA Not Required, 2021-03-02

20/0184 - Environmental Impact Assessment Scoping Opinion for an extension to the existing clay preparation building, new box feeder and enclosed overhead conveyor, new exhaust stack and scrubber for the production building, extension to the production building, widening of the existing stockyard access from Stubbers Green Road for exit and egress, extension to the quarry clay stack, extension to the existing brick stocking area, amendments to existing consented quarry phasing area and revised restoration scheme, new surface water drainage scheme. Scoping Opinion Response Issued - 2020-03-31

13/1380/SCOP - Environmental Impact Assessment Scoping Opinion for extension to Atlas Quarry, export brick making clays and creation of compensatory habitat for loss of Stubbers Green Site of Importance for Nature Conservation (SINC). Scoping Opinion Response Issued - 2014-02-11

04/1603/MI/M1 - New Condition for Existing Mineral Working Permission, 2004-07-26. GSC 2004-12-08

BC54933P - Provision of concrete yard slab for the storage of bricks/materials, including access ramp. GSC 15-12-1998

BC27424P - reserved matters to BC24328P for Siting, Design and External Appearance for Brickworks, Offices (in part) Stockyard, Ancillary Works and Landscaping. Granted 18-08-1989.

BC24328P - the erection of brickworks, ancillary offices and stockyard, extraction of Etruria Marl and restoration by infill to open space and or woodland at Dumblederry Farm, Stubbers Green Road, Aldridge, Walsall. GSC 27-07-1989.

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 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 13 – Protecting Green Belt land**
- **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**
- **NPPF 17 – Facilitating the sustainable use of minerals**

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

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
- ENV1: The Boundary of the Green Belt
- 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
- ENV24: Wildlife Corridors
- ENV25: Archaeology
- ENV26: Industrial Archaeology
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- T1 - Helping People to Get Around
- T2 - Bus Services
- T3 - The Rail and Metro Network
- T4 - The Highway Network
- T5 - Highway Improvements
- T6 - Traffic Calming

- T7 - Car Parking
- T8 – Walking
- T9 – Cycling
- T10: Accessibility Standards – General
- T11: Access for Pedestrians, Cyclists and Wheelchair users
- T12: Access by Public Transport (Bus, Rail, Metro and Ring and Ride)
- T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

- CSP1: The Growth Network
- CSP2: Development Outside the Growth Network
- CSP3: Environmental Infrastructure
- CSP4: Place Making
- CSP5: Transport Strategy
- DEL1: Infrastructure Provision
- TRAN1: Priorities for the Development of the Transport Network
- TRAN2: Managing Transport Impacts of New Development
- TRAN4: Creating Coherent Networks for Cycling and for Walking
- TRAN5: Influencing the Demand for Travel and Travel Choices
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV4: Canals
- ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV6: Open Space, Sport and Recreation
- ENV7: Renewable Energy
- ENV8: Air Quality
- WM5: Resource Management and New Development

Walsall Site Allocation Document 2019

IND1: Existing High Quality Industry
 GB1: Green Belt Boundary and Control of Development in the Green Belt
 EN1: Natural Environment Protection, Management and Enhancement
 EN3: Flood Risk
 M1: Safeguarding of Mineral Resources
 M2: Safeguarding of Minerals Infrastructure
 M6: Brickworks- Future Supply Requirements
 M7: Brick Clay Extraction- Stubbers Green
 T2: Bus Services
 T3: The Rail Network
 T4: The Highway Network

Supplementary Planning Document

Conserving Walsall's Natural Environment

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

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

Survey standards

- NE4 – Survey Standards

The natural environment and new development

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

Development with the potential to affect trees, woodlands and hedgerows

- NE7 - Impact Assessment
- NE8 – Retained Trees, Woodlands or Hedgerows
- NE9 – Replacement Planting
- 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
- DW9(a) Planning Obligations and Qualifying development
- DW10 Well Designed Sustainable Buildings

Air Quality SPD

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

Consultation Replies

Canal and River Trust

No comment

Coal Authority

No objection

Environment Agency

No objection subject to land contamination condition

Inland waterways Association

No objection

Local Highway Authority

Supports the application, subject to conditions relating to implementation of the proposed access amendments and parking areas, the proposed cycle shelter, measures to promote sustainable travel, and a construction environmental management plan.

Local Access Forum

No objection

Pollution Control

No objection. Planning conditions are required to ensure the location of the extension is suitable from a contaminated land, ground gas, and stabilisation perspective. Existing planning noise constraints be continued to include the extension/new application. A construction management plan be agreed and implemented to control local impacts during engineering and construction activities.

Severn Trent Water

No objection subject to the imposition of a drainage condition

West Midlands Fire Service

No objection subject to compliance with part B of Building Regulations. Note provided to applicant.

Tree Officer – No comments received.

Strategic Planning Policy – No comments received.

Wildlife Trust – No comments received.

Natural England – No comments received.

Rights of Way Officer – No comments received.

Ramblers Association – No comments received.

Lead Local Flood Authority – To be updated in supplementary paper.

Representations

No comments received.

Determining Issues

- Principle of Development and Green Belt
- Design, Layout and Character
- Noise
- Air Quality
- Ecology Trees and Landscape
- Flood Risk / Drainage
- Ground Conditions and Environment
- Highways
- Planning Obligations

Assessment of the Proposal

Principle of Development and Green Belt

The site is within an area identified as existing high quality industry by the Walsall Site Allocation Document as part of IN10.1 Wharf Approach and Atlas Works, Aldridge in terms of policy IND1.

Policy M6 and M7 of the SAD specifically concern brickworks and their future supply requirements. Atlas Brickworks is covered by MB2 which states that the expansion of the adjacent Atlas Quarry would be supported in order to maintain the brickworks' 25 year clay supply.

The factory is close to but not within the area identified as Green Belt, however the proposed stockyard extension would be on green belt land, as is a portion of the proposed box feeder building. Condition 6 of permission 04/1603MI/M1 and Condition 6 of permission 14/0619/CM, the land upon which the stockyard and box feeder building is proposed is required to be restored no later than three years after the cessation of mineral extraction, the proposed development is not therefore considered to be permanent and as such the land can be restored to that which accords with Green Belt policy. The extension of an existing building is an exception to inappropriate development where the extensions are not disproportionate, as is development for mineral extraction, where the development does not impact on openness.

The proposal would not significantly alter the character of the area and the impact on openness would only be a limited increase of non-permanent development including hard surfaced areas. The development would be against the backdrop of the existing quarry to the rear. It is considered that the proposal would be in line with Green Belt Policy.

Given the existing designation as high quality industrial land and commitment to support mineral extraction and brickworks within the policies of the SAD, coupled with the compliance with green belt policy the principle of the development is considered acceptable.

A condition would be attached to ensure the proposed offices remain ancillary to the main use to define the permission and avoid an unacceptable open office use in this out of centre location.

Design, Layout and Character

The proposed development is designed to be functional and to allow the operational requirements of the brickworks to be fulfilled. The size of the final factory building has been determined by the size and length of the plant and processes that form part of the brick making 'production line', and the addition of the overhead conveyer necessitating the maximum height of 11.8m. The 30m height of the exhaust stack has been designed having regard, inter alia, to the results of air dispersion modelling carried out as part of the Air Quality Impact Assessment.

The size of the stockyard has been determined by the requirement for a minimum of 25% of the total annual output of the factory to be able to be held in stock at any one time onsite, which given the increase in annual output to 105million bricks created by

the factory extension means the stockyard capacity increase to 27million bricks or an extension of 3,700m² at a height of 6m.

The layout has been designed to ensure that operational traffic circulation around the site is as efficient as possible, including a one-way system of HGVs, while deliveries staff and visitors can be routed along the northern and eastern side of the factory. The built extensions would be faced in a mix of red brick and blue profile metal cladding which is in line with the existing building and reflects the product of the factory. It is recommended that a condition to secure the use of these materials is applied to the decision notice to ensure continuity of design across the site.

The functional industrial character of the site has been established for some time through the continued operation of the brickworks and quarry to the rear. While the higher exhaust stack would represent a new feature within the site it would not significantly depart from the existing character. The visual impact of the extensions would be negligible when viewed from the public realm as they would be screened by the existing development. On balance the proposed layout is considered practical and functional and in accordance with the established character of the site.

Noise

The Noise Assessment includes a background noise survey, which has been undertaken while the factory was not working and under 'Lockdown Conditions' i.e. the noise levels may not be typical compared to when Lockdown has been lifted and the factory and possibly others in the area are fully operational again.

The Assessment identifies that there may be a slight increase in noise levels compared to background noise levels when the factory becomes fully operational again. However, the noise levels generated by the proposed extensions on the factory compared to the noise levels from the existing factory, will be comparable i.e. no significant changes.

Pollution Control agrees with the report and the Consultants' findings.

It is recommended that the existing noise planning constraints be continued to include the proposed extension, in line with the latest British Standard.

Air Quality

The submitted Air Quality Impact Assessment identifies that provided the kiln stack height is at least 30 metres high, then the company will continue to comply with the requirements of their existing Environmental Permit.

Pollution Control do not have any issues with this report and would agree that at the proposed location and stack height, compliance with legal limits should be achieved. The proposed kiln stack height demonstrates that at the proposed height any remaining pollutants, after the abatement process, will adequately disperse.

Furthermore, the Applicant is aware that an A2 Environmental Permit regulates the site and its discharges and emissions, which will be subject to a separate application for variation.

The proposal includes the installation of photo-voltaic panels to the roof of the existing factory building, which would create renewable energy and decrease the development's environmental footprint. It is anticipated that the PV panels would produce 10% of the brick production electricity requirements.

In order to comply with the requirements of the Black Country Air Quality SPD the proposal has included 8 electric vehicle charging points. It is recommended that a condition be included to ensure that the charging points are installed.

Ecology Trees and Landscaping

An Environmental Impact Assessment Screening Opinion (20/1589) was submitted in late 2020 which concluded on 02-03-2021 that an Environmental Impact Assessment would not be required for the proposal.

While the development would increase the footprint and intensity of the brickworks, the development would remain contained within the existing envelope except for the expansion of the stockyard which would require the removal of some trees.

The submitted Ecological Impact Assessment concludes that development has been sensitively designed and positioned with reference to the existing baseline conditions and potential pathways for impact. Several mitigation and enhancement measures are proposed. Proposed measures include ensuring that vegetation clearance is undertaken outside bird nesting season, the installation of bat and bird boxes, and the implementation of a comprehensive Landscape Plan.

The proposed Landscape Plan includes compensatory planting to mitigate for tree losses which would be strategically located in order to extend existing stands of retained woodland and improve their connectivity. The Landscape plan also includes the planting of 1,530m² of wildflower meadow and the retention of larger logs from the proposed tree felling to construct habitat piles within the retained areas of woodland.

On balance it is considered that the proposed mitigation is sufficient to compensate for the loss of trees as proposed and would allow for a net biodiversity gain. In order to ensure that the mitigation takes place it is recommended that conditions to secure them, as well as the landscape plan are added to the decision notice.

Flood Risk / Drainage

The submitted Flood Risk Assessment has concluded that the proposal has a low risk of flooding. The property is within Flood Risk Zone 1.

The Drainage Design Statement and Site Drainage Layout outlines how potential increases in surface water runoff can be managed on Site.

The existing factory roofs are drained via guttering and downpipes to underground pipework which discharges directly into an existing surface water culvert running along the south west boundary of the site. Where the building footprint is to be extended the underground pipework will be adjusted to run around the extended area and connect back to the existing discharge point into the culvert. Although the building extension does increase the existing roof area this represents a small percentage increase and is constructed over paved areas which currently drain to the same culvert. There is, therefore, no net increase in surface water flows in the culvert.

Existing hard paved surfaces around the factory buildings consist of car parking, access roads, lay-down areas and brick stockyard. These areas currently drain to the north-west corner of the site where they pass through an oil interceptor before being discharged into the same surface water culvert. Part of the existing stockyard will become covered by the building extension and 3700m² of new stockyard area is proposed, forming additional run-off area. In order to avoid increasing peak discharge flows into the surface water culvert, the additional area will be attenuated within the

site and discharged at a restricted rate through the use of a hydro-brake or similar flow control system.

It is intended that the marginal net increase in stockyard area combined with the run-off attenuation and discharge control, will allow the existing oil interceptor to be retained.

Existing foul drainage runs along the north-east side of the factory discharging into public drainage below Stubbers Green Road. The scheme involves the connection of new foul branch drains serving nominal staff and office facilities within the factory extension. All new connections will be made to existing private drains within the factory curtilage. The additional foul flows will be minor and no alteration to the existing foul drainage is envisaged.

The transportation of the clay from the clay stock area via the box feeder building and the overhead conveyor into the Brick Factory building will mean that there will no longer be any requirement for vehicles utilising the clay stock area to track back and forth across the Site vehicle circulation route. This will greatly improve the condition of the internal vehicle circulation route, reducing track out of clay into other areas of the Site and the public highway and also reduce the levels of sediment entering the Site drainage system.

The proposal also includes the recycling of water used in the brick making process and harvesting of rainwater from the roof of the factory for use in the brick making process, which would decrease water usage on the site and mitigate runoff from the buildings.

The developer has committed to using Sustainable Drainage Systems wherever possible to manage surface water runoff. Severn Trent Water have supported the proposal subject to the imposition of a condition to ensure that a drainage scheme is submitted and approved. On balance, the proposal can be supported from a drainage perspective, subject to no objection from the Lead Local Flood Authority as set out in the recommendation.

Ground Conditions and Environment

The Phase 1 Geo-environmental and Geotechnical Desk Study Report provides desktop information on the potential contamination of the land where the extension is to be constructed, and recommends that intrusive site investigations would be necessary prior to construction.

The previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is located upon Secondary 'A' aquifers and surface waters run close to and through the proposed development site.

The Phase 1 Geo-environmental and Geotechnical Desk Study Report demonstrates that it will be possible to manage the risks posed to controlled waters created by the proposed development, if further detailed information is obtained prior to construction.

Both the Environment Agency and Pollution Control have agreed with the findings of the Phase 1 Geo-environmental and Geotechnical Desk Study Report and supported the development subject to the imposition of a condition to require intrusive investigations and a potential remediation strategy. It is therefore recommended that a

suitable condition is attached to ensure this investigation is carried out.

Highways

Vehicular access to the site will continue to be provided by the existing access on Stubbers Green Road. However, the junction layout will be revised so it can accommodate the swept path of a 10m Tipper construction vehicle. This main site access junction will provide for all vehicles accessing the site including staff, visitors and deliveries. The Local Highway Authority has recommended a condition that the proposed junction upgrades should be completed prior to the operation of the extensions.

Under pre-COVID19 operating conditions on a typical weekday there were up to 38 employees present at the site on a regular basis (16 employees who work in the office, 22 employees who work the factory day shift (22 on and 22 off). During the night shift the factory was manned by 5 employees. At the weekend the factory shifts would continue. The development proposals are looking to increase staff by 30 additional employees.

Parking is to be increased by 12 spaces from 49 spaces to 61 spaces across the site, inclusive of disabled and electric charging spaces. The B2 use UDP T13 parking policy for the additional GFA of around 2,475sqm (555 +1,820sqm) equates to a maximum of 25 additional spaces. The proposal looks to provide only half of the UDP maximum additional requirement. Cycle shelters are also proposed, a condition is recommended to provide detail of these prior to the development coming into use. Taking into account the staff operate over shift patterns and a Travel Plan is to be introduced to encourage sustainable travel modes, the Highway Authority considers the proposed level of parking adequate to meet its operational needs and any increased demand as a result of the development. Over-spill parking onto the public highway is considered unlikely. The Local Highway Authority has recommended a condition that the proposed amendments to the parking be fully implemented prior to the operation of the extended factory.

In terms of employee trips, it is predicted that there will be a net reduction in car borne trips compared to Pre-Covid.

It is estimated that there will be 60 HGV arrivals and 60 HGV departures between the hours of 05:00 –20:00hrs (equivalent to four arrivals and four departures per hour). This trip generation equates to a net increase of approximately 84 HGV trips per weekday compared to the 'normal' operation of the site. It is anticipated that HGVs will arrive and depart the site throughout the day. Based on the operational hours of brick despatch between 05:00 to 20:00hrs, the forecast weekday HGV trip generation for the standard AM and PM network peak hours is 8 two-way trips.

On balance, it is considered that the development will not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF paragraph 111.

Planning Obligations

Discussions are underway with the Council's Planning Solicitor to determine whether the necessary Travel Plan can be secured by planning condition, or whether it needs to be secured within a Section 106 Agreement. The recommendation in this report requests delegation back to the Head of Planning and Building Control to conclude this matter, and any update on this point will be set out in the supplementary paper.

Conclusions and Reasons for Decision

The proposal would allow for the expansion of the Ibstock Atlas Brick factory from a production of 40 million bricks to 105 million bricks annually, and create employment for an additional 30 people.

The principle of development is supported as the development is recognised as high quality industry as part of IN10.1 Wharf Approach and Atlas Works, Aldridge in terms of Site Allocation Document Policy IND1. The proposal would not have an impact on the openness of the Green Belt, in line with SAD Policy GB1 and NPPF Paragraphs 149 and 150.

On balance the proposed layout is considered practical and functional and in accordance with the established character of the site, in line with Black Country Core strategy ENV2 and ENV3, saved UDP Policies GP2 and ENV32 and the Designing Walsall SPD.

The slight increase in noise levels compared to background noise levels generated by the proposed extensions on the factory compared to the noise levels from the existing factory, will be comparable, and within the constraints placed on the site by existing conditions and is acceptable in terms of Saved UDP Policy ENV10 and NPPF Paragraph 185.

The submitted Air Quality Impact Assessment identifies that provided the kiln stack height is at least 30 metres high, then the company will continue to comply with the requirements of their existing Environmental Permit. In order to comply with the requirements of the Black Country Core Strategy Policy ENV8, Black Country Air Quality SPD 8 electric vehicle charging points are provided. Photo-voltaic Panels would produce 10% of the required electricity of the operation of the development in line with Policy ENV7 and WM5 of the BCCS.

On balance it is considered that the proposed environmental mitigation is sufficient to compensate for the loss of trees and vegetation as proposed and would allow for a net biodiversity gain, and accord with BCCS Policy ENV1, SAD Policy EN1, Saved UDP Policies ENV 18, ENV23, ENV24, ENV33, and the Conserving Walsall's Natural Environment SPD.

The proposed amendments to the culvert of Anchor Brook have been sensitively designed and the proposal is not considered to create increased risk of flooding, and accords with Black Country Core Strategy Policy ENV5, and SAD Policy EN3.

The findings of the Phase 1 Geo-environmental and Geotechnical Desk Study Report support the development subject to the imposition of a condition to require intrusive investigations, in line with NPPF paragraph 183.

The proposed parking arrangements are acceptable to cater for the development. Amendments to the access would be appropriate for the proposal and create a safe and efficient traffic circulation pattern within the site. The proposal would not have an undue impact on the surrounding road network, in accordance with NPPF Paragraph 111, saved UDP Policies T7-T13, Black Country core Strategy Policy TRAN4 and TRAN5, and SAD Policy T4.

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

Positive and Proactive Working with the Applicant

Approve

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

Recommendation

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

- Securing a Travel Plan via planning condition or a Section 106 Agreement as necessary;
- No new material considerations being received;
- The amendment and finalising of conditions;
- No objection from the Lead Local Flood Authority; and
- No further comments from a statutory consultee raising material planning considerations not previously addressed.

Conditions and Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans details and documents:
 - Location Plan, P-00 Rev / submitted 15-05-2021
 - Existing site Layout, P-01 Rev / submitted 15-05-2021
 - Proposed Site Layout, P-02 Rev / submitted 15-05-2021
 - Proposed Site Layout with Solar Panels, P-03 Rev / submitted 15-05-2021
 - Indicative Construction Layout, P-04 Rev / submitted 15-05-2021
 - Existing Floor Plan, P-05 Rev / submitted 15-05-2021
 - Proposed Floor Plan, P-06 Rev. / submitted 15-05-2021
 - Existing Elevations, P-07 Rev / submitted 15-05-2021
 - Proposed Elevations (Sheet 1), P-08 Rev / submitted 15-05-2021
 - Proposed Elevations (Sheet 2), P-09 Rev / submitted 15-05-2021
 - Site Sections, P-10 Rev / submitted 15-05-2021
 - Site Drainage Layout, P-11 Rev / submitted 15-05-2021
 - Air Quality Assessment prepared by Aecom ref 60616590 submitted 05-05-21
 - Arboricultural Impact Assessment prepared by Aecom ref 60616590 submitted 05-05-21
 - Design and Access Statement prepared by Aecom submitted 05-05-21
 - Ecological Impact Assessment prepared by Aecom ref 60616590 submitted 05-05-21
 - Flood Risk Assessment prepared by Aecom ref 60616590 submitted 05-05-2021

- Geotechnical Report Phase 1 Desk Study prepared by Aecom ref 60616590 submitted 05-05-21
- Landscape and Visual Appraisal prepared by Aecom ref 60616590 submitted 05-05-21
- Lighting Assessment prepared by Aecom ref 60616590 submitted 05-05-21
- Noise Assessment prepared by Aecom ref 60616590 submitted 05-05-21
- Outline Travel Plan prepared by Aecom ref 60616590 submitted 05-05-21
- Planning Statement prepared by Aecom submitted 05-05-21
- Transport Assessment prepared by Aecom ref 60616590 submitted 05-05-21
- Water Framework Screening Assessment prepared by Aecom ref 60616590 submitted 05-05-21

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 commencement of the development hereby permitted, a scheme showing the proposed location and specification including materials method of erection, heights and dimensions of Bird Boxes, Bat Boxes and habitat piles shall be submitted in writing to and approved in writing by the Local Planning Authority
- b. The development shall not be carried out otherwise than in accordance with the approved details.

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

4. 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.
- 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.
- 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, oils and other chemicals from the site in accordance with NPPF10, BCCS Policy ENV5 and saved Walsall's Unitary Development Plan policy GP2 and ENV40.

5. a. Prior to occupation of the development hereby permitted the approved landscaping details shown on the Landscape Mater Plan Drawing Reference 60616590-LS-000-001 shall be carried out.

b 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.

6. Prior to occupation of the development hereby permitted the modifications to the existing vehicular access points on Stubbers Green Road shall be fully implemented to the satisfaction of the Local Planning Authority, including the installation of all lining and signage to indicate the change of access/egress arrangements. All works within the public highway shall be in accordance with all statutory requirements.

Reason: To ensure the satisfactory completion and operation of the development and accesses thereto, in accordance with UDP Policy GP2 and in the interests of highway safety.

7. a. Prior to occupation of the development hereby permitted, all access ways, parking areas and vehicle manoeuvring areas shall be fully consolidated, hard surfaced and drained so that surface water run-off from these areas does not discharge onto the highway or into any highway drain, including all lining, signing and the demarcation of the parking bays.

b. These areas shall thereafter be retained and used for no other purpose.

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

8. a Prior to the development first coming into use, full details of the proposed cycle shelter, for staff and visitors, which shall be covered and illuminated, shall be 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 facility shall thereafter be retained and used for no other purpose.

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

9. Upon first occupation of the development, the measures and incentives to promote the development's sustainability credentials and encourage non car borne travel modes shall be implemented and developed into fully working Travel Plan in accordance with the submitted AECOM Outline Travel Plan Statement dated April 2021.

Reason: To encourage sustainable travel modes, in accordance with BCCS policy TRAN2 and UDP Policy T10.

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

1. Construction working hours
2. Parking and turning facilities for vehicles of site operatives and visitors
3. Loading and unloading of materials
4. Storage of plant and materials used in constructing the development
5. A scheme for recycling/disposing of waste resulting from construction works
6. Temporary porta cabins and welfare facilities for site operatives
7. Site security arrangements including hoardings
8. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway
9. Measures to prevent flying debris
10. Dust mitigation measures (particularly if the contaminated land investigation has indicated that land is contaminated)
11. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper)
12. Noise and vibration (if piling and/or ground stabilisation is to be conducted) mitigation measures

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

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

11. a Prior to built development commencing 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)

b. Prior to built development commencing 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)

c. Prior to built development commencing 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 agreed in writing by the Local Planning Authority. (see Note for Applicant CL2)

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

e. 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 b. of this condition is encountered, development shall cease until the 'Remediation Statement' required by part c. of this condition has been amended to address any additional remedial

or mitigation works required and has been submitted in writing to and agreed in writing by the Local Planning Authority.

f. A validation report setting out the details of the remedial measures implemented and cross referencing those measures to 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)

g. 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 accordance with saved policies GP2 and ENV14 of Walsall's Unitary Development Plan and to meet the requirements of the National Planning Policy Framework 174 and 183.

12. a. Prior to first occupation of the development hereby permitted details of 8 electric vehicle charging points, shall be submitted in writing to and agreed in writing by the Local Planning Authority.

b. Prior to first occupation of the development the approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

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

13. The development hereby permitted shall comprise facing materials that match, in size, colour and texture, those which are used in the existing buildings and the facing 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 of the Walsall Unitary Development Plan.

14. The Site shall not be operated except in accordance with measures set out in BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites – Part 1: Noise' such that no use operation or activity permitted causes free field noise levels as measured at or adjacent to any sensitive uses and particularly residential properties on Sherwood Walk, Rufford Way and Stubbers Green Road, to exceed: 50 dB(LAeq 1hr) during the hours of 08.00 to 18.00, 45 dB(LAeq 1hr) during the hours of 18.00 to 23.00 and 40 dB(LAeq 1hr), during the hours of 23.00 to 08.00 hours on permitted working days.

Reason: To protect the amenities of nearby occupiers in accordance with saved UDP policies GP2 and ENV32.

15. The offices, meeting rooms and/or boardrooms as shown on proposed floor plans drawing number P-06 Rev. / submitted 15-05-2021 shall not be used otherwise than ancillary to the main use of and shall not be let/sublet or used as independent offices/meeting rooms.

Reason: To safeguard the vitality and viability of Aldridge District Centre in accordance with Policies S1 and S4 of the UDP, Policies CEN2 and CEN5 of the BCCS and Policy SLC1 of the SAD.

Notes for Applicant

Highway Authority

1. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site of any works pertaining thereto.
2. The applicant will be expected to obtain a Road Opening Permit from the Highway Authority for the access modification works within the existing public highway. For further advice please contact Highway Development Control Team at Stephen.Pittaway@walsall.gov.uk

Environment Agency

Paragraph 179 of the National Planning Policy Framework states “Where a site is affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.”

We recommend that developers and /or Landowner should:

1. Follow the advice in Land Contamination: risk management <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> when dealing with land affected by contamination.
2. Refer to the [Environment Agency Guiding principles for land contamination](#) for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Contaminated Land

CL1

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

CL2

When making assessments of any contaminants identified as being present upon and within the land considering their potential to affect the proposed land use and

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

CL3

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

Severn Trent

Severn Trent Water advise that there is a public 300mm and a 600mm combined sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

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

· 300mm to 999mm diameter – 5m either side of the pipe, measured from the centreline of the sewer.

Construction Working Hours

No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday*, and such works shall only take place between the hours of 08:00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No

plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

(Bank and Public holidays for this purpose shall be: Christmas Day; Boxing Day; New Year's Day; Good Friday; Easter Monday; May Day; Spring Bank Holiday Monday and August Bank Holiday Monday)*

West Midlands Fire Service

Requirement B5: Access and facilities for the fire service

These sections deal with the following requirement from Part B of Schedule 1 to the Building Regulations 2010.

Requirement

Limits on application Access and facilities for the fire service B5.

(1) The building shall be designed and constructed so as to provide reasonable facilities to assist fire fighters in the protection of life.

(2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.

Intention

Provisions covering access and facilities for the fire service are to safeguard the health and safety of people in and around the building. Their extent depends on the size and use of the building. Most firefighting is carried out within the building. In the Secretary of State's view, requirement B5 is met by achieving all of the following.

- a. External access enabling fire appliances to be used near the building.
- b. Access into and within the building for firefighting personnel to both:
 - i. search for and rescue people
 - ii. fight fire.
- c. Provision for internal fire facilities for firefighters to complete their tasks.
- d. Ventilation of heat and smoke from a fire in a basement.

If an alternative approach is taken to providing the means of escape, outside the scope of this approved document, additional provisions for firefighting access may be required. Where deviating from the general guidance, it is advisable to seek advice from the fire and rescue service as early as possible (even if there is no statutory duty to consult)

Section 15: Vehicle access

Buildings not fitted with fire mains

15.1 For small buildings (up to 2000m², with a top occupied storey that is a maximum of 11m above ground level), vehicle access for a pump appliance should be provided to whichever is the less onerous of the following.

- a. 15% of the perimeter.
- b. Within 45m of every point of the footprint of the building (see Diagram 15.1).

15.2 For all other buildings, provide vehicle access in accordance with Table 15.1.

15.3 Every elevation to which vehicle access is provided should have a door, a minimum of 750mm wide, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m (e.g. a 150m elevation would need a minimum of two doors)

Buildings fitted with fire mains

15.4 For buildings fitted with dry fire mains, both of the following apply.

a. Access should be provided for a pumping appliance to within 18m of each fire main inlet connection point. Inlets should be on the face of the building.

b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 16.10.

15.5 For buildings fitted with wet fire mains, access for a pumping appliance should comply with both of the following.

a. Within 18m, and within sight of, an entrance giving access to the fire main.

b. Within sight of the inlet to replenish the suction tank for the fire main in an emergency.

15.6 Where fire mains are provided in buildings for which Sections 16 and 17 make no provision, vehicle access may be as described in paragraphs 15.4 and 15.5, rather than Table 15.1.

Design of access routes and hard-standings

15.7 Access routes and hard-standings should comply with the guidance in Table 15.2. Requirements can only apply to the site of the works. It may not be reasonable to upgrade the route across a site to a small building. The building control body, in consultation with the fire and rescue service, should consider options from doing no work to upgrading certain features, such as sharp bends.

15.8 Where access to an elevation is provided in accordance with Table 15.1, the following requirements should be met, depending on the building height. a. Buildings up to 11m, excluding small buildings (paragraph 15.1): pump appliance access should be provided adjacent to the building for the specified percentage of the total perimeter. b. Buildings over 11m: access routes should comply with the guidance in Diagram 15.2.

15.9 Where access is provided for high reach appliances in accordance with Table 15.1, overhead obstructions (such as cables and branches) should be avoided in the zone shown in Diagram 15.2.

15.10 Dead-end access routes longer than 20m require turning facilities, as in Diagram 15.3. Turning facilities should comply with the guidance in Table 15.2.

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 2, Table 15.2)

Dead Ends including cul-de sacs

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

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

to 250 metres carrying equipment is considered a maximum for efficient fire-fighting operations.

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

Vehicle Access

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

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

3.8.2 Emergency Vehicle Access

- a) A suitable means of preventing the use by other vehicles must be provided at the time of construction.
- b) The height of 4.1 metres minimum, width 3.7 metres minimum and the construction of the access road are sufficient to allow the free passage of fire appliances.
- c) Neither end is obstructed by parked cars.
- d) The emergency vehicle access may incorporate a pedestrian route but must not be used by statutory undertakers to accommodate underground services or public sewers.

3.8.3 Increased Carriageway Widths

- a) The carriageway width is increased to 7.3 metres from the entrance to the dead-end route to the point where it is 180 metres to the end of the dead end in accordance with 3.8.3b immediately below.
- b) The subsequent reduction in the width from 7.3 to 5.5 metres must occur at a road junction, at which point parking for the fire appliance at the end of the dead end must be within vision and a fire hydrant is on the pavement or ground alongside the parking space.

Industrial Estates

- a) In order to accommodate very long articulated vehicles carriageways should be 9 metres wide but certainly not less than 7.3 metres.
- b) The estate should be designed so that there is adequate off-street parking and there is no loading, unloading or long-term parking on the carriageway.
- c) Dead end access routes must not exceed 180 metres in length from a junction which provides two alternative routes out of the industrial estate, unless an emergency vehicle access is provided from the dead end, as described in 3.8.2

Section 16: Fire mains and hydrants

Provision of fire mains

16.2 Buildings with firefighting shafts should have fire mains in both of the following.

- a. The firefighting shafts.
- b. Where necessary, in protected escape stairs. The criteria for providing firefighting shafts and fire mains are given in Section 17.

16.3 Buildings without firefighting shafts should be provided with fire mains where fire service vehicle access is not provided in accordance with Table 15.1. In these cases, outlets from fire mains should be located as described in paragraph

16.4, with a maximum hose distance of 45m from the fire main outlet to the furthest point, measured on a route suitable for laying a hose. Stairs do not need to be designed as firefighting shafts.

Provision of private hydrants

16.8 A building requires additional fire hydrants if both of the following apply.

- a. It has a compartment with an area more than 280m².
- b. It is being erected more than 100m from an existing fire hydrant.

16.9 If additional hydrants are required, these should be provided in accordance with the following.

- a. For buildings provided with fire mains – within 90m of dry fire main inlets.
- b. For buildings not provided with fire mains – hydrants should be both of the following.
 - i. Within 90m of an entrance to the building.
 - ii. A maximum of 90m apart.

16.10 Each fire hydrant should be clearly indicated by a plate, fixed nearby in a conspicuous position, in accordance with BS 3251. 16.11 Guidance on aspects of provision and siting of private fire hydrants is given in BS 9990.

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

Section 17: Access to buildings for firefighting personnel

Provision of firefighting shafts

17.2 A building with a storey more than 18m above the fire and rescue service vehicle access level should have one or more firefighting shafts containing a firefighting lift. The number and location of firefighting shafts should comply with paragraphs 17.4 to 17.7. Firefighting shafts are not required to serve a basement that is not large or deep enough to need one (see paragraph 17.3 and Diagram 17.2).

17.3 A building with basement storeys should have firefighting shafts in accordance with the following.

- a. There is a basement more than 10m below the fire and rescue service vehicle access level. The firefighting shafts should contain firefighting lifts.
- b. There are two or more basement storeys, each with a minimum area of 900m². The firefighting shafts do not need to include firefighting lifts.

The building's height and size determine whether firefighting shafts also serve upper storeys.

17.8 In any building, the hose laying distance should meet all of the following conditions.

a. A maximum of 60m from the fire main outlet in a firefighting shaft (see Diagram 17.3).

b. Additionally, where sprinklers have not been provided in accordance with Appendix E, the hose laying distance should be a maximum of 45m from a fire main outlet in a protected shaft (although this does not imply that the protected shaft needs to be designed as a firefighting shaft (see Diagram 17.3)

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 2, Section 8)

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)