



Planning Committee

Report of Head of Planning and Building Control on 10 March 2022

Plans List Item Number: 10

Reason for bringing to committee

Council application

Application Details

Location: Brownhills Activity Centre, Chester Road North, BROWNHILLS, WALSALL, WS8 7JW

Proposal: ERECTION OF A WOODEN CLAD STORAGE CONTAINER TO STORE CYCLING EQUIPMENT

Application Number: 21/1038

Case Officer: Helen Smith

Applicant: Walsall Council

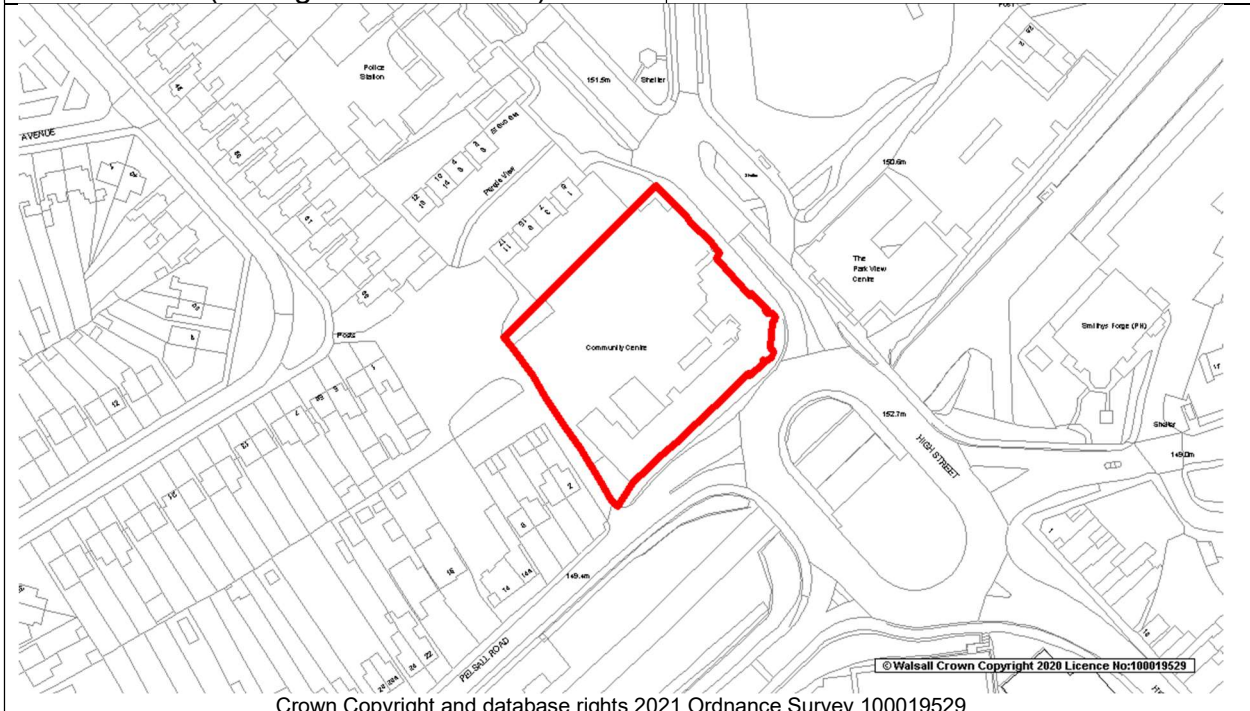
Ward: Brownhills

Agent:

Expired Date: 13-Dec-2021

Application Type: Full Application: Minor Use Class B8 (Storage or Distribution)

Time Extension Expiry:



Recommendation

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

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

Proposal

The proposed cycle storage container would be located within the rear enclosed car park area serving the activity centre and would be located centrally adjacent to a single storey brick built structure which has no windows facing the proposed addition. An existing planter has been removed to accommodate this proposal.

The storage container is part of a wider project called Places 2 Ride. The Places 2 Ride programme aims to fund the development of new or the improvement of existing cycle facilities in communities across England.

The aim of the programme is to encourage people to ride a bike so that cycling will develop into a habit for life for as many people as possible and the proposal is grant funded by British Cycling.

The proposed container would be a metal storage container with potentially a green roof and a proposed exterior horizontal wooden cladding. The container would be windowless with locked double opening doors to one end. The applicant has advised that the proposed lock would be covered to make the container more difficult to break into. The proposed container dimensions would be as follows;

Height 2.46 metres

Width – 2.4 metres

Length – 6.05 metres

Site and Surroundings

Brownhills Activity Centre is a Locally Listed Building and there is a Definitive Public Right of Way (Bro33) to the west and north of the application site. There is an access drive to the south western side of the building leading from Pelsall Lane.

The application site is located at the junction of Pelsall Road (A4124) AND Chester Road North (A452)

There is a car park to the rear of the existing centre which is open when the centre is in use. The hours of opening are 8am to 10.30pm Monday to Saturday and 8am until 5.30pm on Sundays. The car park is secured by 1.8 metres high fencing and locked gates along with CCTV cameras.

There are residential properties to the north on Parade View and to the west of the application site and the surrounding area has a mixed character of residential, retail and commercial premises.

The site is within a Low Risk Area for coal mining.

Relevant Planning History

17/0478 - Display of non-illuminated individual lettering across the front elevation – Advertisement consent granted 22/5/17

07/2635/FL/E15 - Installation of platform lift – GSC 3/3/08

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 12 – Achieving well-designed places**
- **NPPF 16 – Conserving and enhancing the historic environment**

On **planning conditions** the NPPF (para 56) says:

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

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

Reducing Inequalities

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

Development Plan

www.go.walsall.gov.uk/planning_policy

Saved Policies of Walsall Unitary Development Plan

- GP2: Environmental Protection

- GP5: Equal Opportunities
- GP6: Disabled People
- ENV9: Environmental Improvement Initiatives
- ENV27: Buildings of Historic or Architectural Interest
- ENV28: The 'Local List' of Buildings of Historic or Architectural Interest
- ENV32: Design and Development Proposals
- ENV35: Appearance of Commercial Buildings
- T9 – Cycling
- 8.3 Urban Open Space

Black Country Core Strategy

- Vision, Sustainability Principles and Spatial Objectives
- CSP4: Place Making
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV6: Open Space, Sport and Recreation

Walsall Site Allocation Document 2019

OS1: Open Space, Sport and Recreation

T4: The Highway Network

Supplementary Planning Documents

Designing Walsall

- DW1 Sustainability
- DW3 Character
- DW5 Ease of Movement
- DW7 Diversity
- DW9 High Quality Public Realm
- DW10 Well Designed Sustainable Buildings

Consultation Replies

Conservation Officer – To be updated in supplementary paper.

Community Safety Team – To be updated in supplementary paper.

Fire Officer – No objections.

Local Highway Authority – No objections

Police – To be updated in supplementary paper.

Representations

None received at the time of writing this report.

Determining Issues

- Heritage Asset
- Design and Character of the Area
- Amenity of Neighbours
- Security
- Access and Parking

Assessment of the Proposal

Heritage Asset

Brownhills Activity Centre is a locally listed building. The introduction of this modest sized stand-alone storage container within the rear car park area is considered would result in less than substantial harm and the benefits arising from the proposal in the public interest by way of encouraging healthy benefits of cycling weigh in favour of this application.

Design and Character of the Area

The proposed storage container would be sited in close proximity and within view of the existing Activity Centre. The proposed container would be sited adjacent to an existing single storey detached building and would be to the rear of the existing main building.

There would be long views of the container from residential properties on Parade View to the north however it is considered that as the container would be seen against the back-drop of the existing buildings and is to the rear, it is considered that the impacts on the existing character of the area would be limited.

The proposed timber cladding is considered would soften the appearance of the steel container and improve the design of this addition. It is therefore considered that the proposal would be acceptable in this location.

Amenity of Neighbours

The proposed storage container would be separated from houses on Parade View by a distance of 60 metres and it is considered that this addition would have a limited impact on residents' visual amenity.

The proposal would be screened from residential properties on Pelsall Lane by an existing wing of the activity centre. Houses to the west would be separated by a distance of 80 metres and it is considered the proposal would have a limited impact on neighbours' existing light and amenity.

Security

The container would benefit from CCTV surveillance from the centre whilst occupied and passive surveillance from residential properties facing the site outside of opening hours. The proposal would be located away from windows and is considered would not provide a security climbing risk into the existing premises in this position.

The site has perimeter fencing and locked gates which along with a covered lock on the container itself is considered to be adequate.

Access and Parking

The storage container would be available for use whilst the activity centre was open with vehicular access via an access road to the side into the car park. The Local Highway Authority supports the proposal.

Conclusions and Reasons for Decision

In weighing the material planning considerations, taking into account the local and national planning guidance, it is considered that the proposed cycle storage container would integrate into the existing surroundings and the benefits outweigh any harm arising to the non-designated heritage asset in this instance. The proposal is considered would have a limited impact on the character of the wider area and the amenity for neighbouring occupiers.

The use of safeguarding conditions in respect of the materials to maintain its appearance will further ensure that the neighbours amenity is protected and that the 6 tests: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and reasonable in all other respects within the national planning guidance are fully met.

This proposal is therefore considered to be acceptable in principle 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

The submitted details are acceptable in principle and any further changes to materials used can be addressed by planning condition if the application is approved.

Recommendation

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

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

Conditions and Reasons

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

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

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

- Amended Location Plan, deposited 22/2/22
- Amended Block Plan, deposited 22/2/22
- Container Example, deposited 18/11/21
- Email dated 28/11/21 from G Tarburton with container dimensions provided

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. Notwithstanding the submitted details, prior to the commencement of the installation of the development hereby permitted full details of the external materials including their colour, finish and type shall be submitted in writing to and approved in writing by the Local Planning Authority.

3: b. The development shall not be carried out otherwise than in accordance with the approved details and 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.

END OF OFFICERS REPORT