

## Planning Committee

Report of Head of Planning and Building Control on 25 April 2024

Plans List Item Number: 4

### Reason for bringing to committee

In public interest

### Application Details

**Location:** BLOXWICH POST OFFICE, MARKET PLACE, BLOXWICH, WALSALL, WS3 2JF

**Proposal:** REFURBISHMENT AND EXTENSION OF A FORMER POST OFFICE BUILDING TO FORM A COMMUNITY AND LEARNING BUILDING WITH ASSOCIATED LANDSCAPING. INCLUDING CHANGE OF USE FROM A RETAIL USE (USE CLASS E) TO A BUILDING COMBINING USE CLASSES E, F1 AND F2 OR SUI GENERIS. (AFFECTS THE SETTING OF PROW NDA61)

**Application Number:** 24/0194

**Case Officer:** Nick Howell

**Applicant:** Walsall Council

**Ward:** Bloxwich West

**Agent:** Robothams Architects

**Expired Date:** 30-Apr-2024

**Application Type:** Full Application: Minor Mixed Use Classes

**Time Extension Expiry:**



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## **Recommendation:**

Grant Planning Permission Subject to Conditions.

## **Proposal**

As part of the Government's £3.6 billion Towns Fund, Walsall Council was awarded £47 million of which £23.5 million was awarded to Bloxwich, with the aim of transforming the economic prospects of the town. A key focus is the improvement of broadband connectivity, and the development of digital skills and higher value jobs.

The proposed scheme comprises the refurbishment and extension of the former Post Office building to form a community and learning building with associated landscaping. Including change of use from a retail use (use class E) to a building combining use classes E, F1 and F2 or Sui Generis.

In more detail the proposal is for the creation of a training space and digital access centre at the former Post Office to be called Launchpad Bloxwich. The scheme would support start-ups and small businesses whilst offering digital connectivity and training for the community.

The scheme would combine several community related functions into one facility. The ground floor would provide a space to support users of the facility to gain access to digital assets and online portals, with desktop PC's available to members of the public to use informally as 'drop in' visitors or as part of training courses run by the centre or third-party bodies. The facilities would be supported by a cafe area, meeting rooms and WC's.

The first floor is focused on providing support for local people looking to grow business ideas and as a base for creative, digital and professional services providers to create a first step for start-up companies. The form follows the function of a co-working environment with serviced desks available to users alongside meeting spaces within a support community.

It is envisaged that the average capacity of the building will be between 30-40 users with support from a small number of staff (3-4 people)

## **Site and Surroundings**

The site comprises the former Post Office building and an adjoining car park/service area accessed off Market Place. The site is located within Bloxwich Town Centre, just off the High Street and the existing building Post Office building is situated adjacent to the Market Square with the main access on the front elevation accessed directly from the square.

The site is bounded by the Town's library and theatre to the south, a car park to the southeast, Market Place to the east, the open space for Bloxwich Market to the north and a pedestrian access from the market to an area of car parking accessed from Elmore Row to the west. The boundaries are formed by the elevations of an existing building to the southwest and a brick wall surrounding the service area to the west, east and southern perimeters.

The former post office is a 1970's era style building and is largely two storeys with elements of single storey accommodation on the front face of the building and at its eastern and western ends. A roof top plant building creates a small third storey element and allows access onto the upper roof.

The former Post Office building faces towards the Market Square and the buildings surrounding the Square are one and two storeys with the external elevations comprising a mix of brickwork and external cladding.

### Relevant Planning History

None.

### Relevant Policies

#### **National Planning Policy Framework (NPPF)**

[www.gov.uk/guidance/national-planning-policy-framework](http://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 6 – Building a strong, competitive economy**
- **NPPF 7 – Ensuring the vitality of town centres**
- **NPPF 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 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](http://www.go.walsall.gov.uk/planning_policy)

### **Saved Policies of Walsall Unitary Development Plan**

- GP2: Environmental Protection
- GP5: Equal Opportunities
- GP6: Disabled People
- ENV11: Light Pollution
- ENV25: Archaeology
- ENV26: Industrial Archaeology
- ENV29: Conservation Areas
- ENV32: Design and Development Proposals
- ENV33: Landscape Design
- S1: Definition of Town Centre Uses
- S3: Integration of Developments into Centres
- S4: The Town and District Centres: General Principles
- S6: Meeting Local Needs
- S7: Out-of-Centre and Edge-of-Centre Developments
- 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
- LC7: Indoor Sport including Health and Fitness Centres
- LC8: Local Community Facilities
- BX3: Conservation Areas
- BX5: Environmental Improvements
- BX6: Development / Investment Opportunities

### **Black Country Core Strategy**

- HOU5: Education and Health Care Facilities
- EMP1: Providing for Economic Growth
- CEN1: The Importance of the Black Country Centres for the Regeneration Strategy

- CEN8: Car Parking in Centres
- 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
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality

### **Walsall Site Allocation Document 2019**

RC1: The Regeneration Corridors

SLC1: Local Centres

EN5: Development in Conservation Areas

T4: The Highway Network

### **Supplementary Planning Document**

#### **Designing Walsall**

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW7 Diversity
- DW8 Adaptability
- DW10 Well Designed Sustainable Buildings

#### **Air Quality SPD**

- **Section 5 – Mitigation and Compensation:**
- Type 1 – Electric Vehicle Charging Points

### **Consultation Replies**

**Conservation Officer** – no objections.

**Environmental Protection** – no objections – there are no significant noise, water, air or land pollution concerns associated with the application that require addressing.

**Local Highways Authority** – An amended site plan has been submitted to revise the size of a disabled parking space and the reversing aisle is now shown on the proposed site layout plan. 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 supports the proposal subject to conditions relating to details of the cycle provision and the implementation of the parking area prior to occupation.

**Strategic Planning Policy** – strongly supported on planning policy grounds.

**Archaeology** – any archaeological remains present would not form a constraint on development and it is recommended a condition requiring a programme of archaeological monitoring (watching brief) to be undertaken during ground works.

## Representations

The application was advertised by way of site notice, press notice and neighbour notification. One response has been received and the comments are as follows (officer comments in brackets).

- This development should be connected to Bloxwich library and theatre to complement the services already in place and not to compete. There is also an opportunity to provide accessible parking for the library, something that is not in place (market competition is not a material planning consideration and we are required to determine the application based on the details already submitted before us).

## Determining Issues

- Principle of Development
- Heritage Assessment
- Design, Layout and Character
- Amenity of Neighbours and Amenity of Future Occupiers
- Highways

## Assessment of the Proposal

### Principle of Development

#### *National Policy*

Section 7 of the NPPF (December 2023) ensures the vitality of town centres. In particular, paragraph 90 states that planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.

Paragraph 97 states that planning policies and decisions should plan positively for the provision and use of ... community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services

### **Development Plan Policies**

Relevant development plan policies include:

#### ***Black Country Core Strategy***

Policy HOU5 states that new health care facilities and pre-school, school and further and higher education facilities should be:

- Well designed and well related to neighbourhood services and amenities;
- Well related to public transport infrastructure and directed to a Centre appropriate in role and scale to the proposed development and its intended catchment area.

#### ***Site Allocation Document***

The site is positioned within SAD policy RC1 of the Regeneration Corridors, Town and District Centres and Wards. Proposals for development within or outside the Corridors will be expected to support the spatial objectives and policies set out in the BCCS, in particular policies CSP1 (Growth Network) which requires Regeneration Corridors to provide a sustainable mix of modern, strategic high quality employment land and new residential communities well supported by community services and local shops.

#### ***Unitary Development Plan***

The site is also located within Bloxwich District Centre as part of policy S2 of the UDP which states that the District Centres could also potentially have roles in accommodating facilities of Borough-wide importance which cannot be located in Walsall Town Centre.

Policy BX7 of the UDP refers to the redevelopment of the Market Centre and states that Bloxwich Post Office should be retained within the development, but this policy relates to the redevelopment that was completed in 2005. It is understood that the post office relocated to other premises in the district centre in November 2023

Policy S3(a) ensures the proper integration of developments in or on the edge of centres, proposals should: -

- I. Be of scale and nature appropriate to the size and function of the centre concerned.



II. Be sensitively integrated, in functional and visual terms, with the primary shopping area and other land uses, pedestrian routes, car parking provision, public transport facilities, servicing arrangements, traffic circulation, and the local townscape.

(b) Development proposals will be considered as in-centre or edge-of-centre according to the following principles:- I. Within the Town and District Centres in-centre developments will be within the Inset Plan areas. Other activities which are likely to be visited on shopping trips should also be located close to the primary shopping area.

Policy S4(a) The Council will seek to sustain and enhance the range and quality of shopping, leisure and other town centre uses which these centres provide, consistent with the role and function of a centre within the hierarchy defined in Policy S2, in order to meet the needs and aspirations of all who use the centres.

(c) Development must not be at the expense of the vitality and viability of the centre as a whole, or that of other centres within the Borough or elsewhere in the affected catchment area.

The post office has relocated within the district centre, so the former post office building is currently vacant. The proposed use will provide a community and educational facility in an accessible location within the district centre. As such, it is strongly supported on planning policy grounds.

### **Heritage Assessment**

The site does not fall within the conservation area, however, the Bloxwich High Street conservation area does sit directly adjacent to the site. The Design and Access Statement includes a heritage statement and the scheme provides a viable reuse of an existing vacant building and the proposed refurbishment would improve views from the conservation area and rejuvenate a tired building. It is considered that the proposed scheme would have negligible harm to the significance and setting of Bloxwich High Street Conservation Area.

### **Design, Layout and Character**

The existing vacant building is a 1970's era modernist design and the proposed scheme would incorporate the existing features into a more modern setting. The proposed scheme works with the existing theme of the building, based on a modernist style and a lightweight approach to the proposed extensions and the external façade. The key façade treatments include;

- Windows and doors to be replaced with aluminium double-glazed units with a colour coated finish.
- New buff/yellow brickwork to match the existing colour.
- Lightweight metal standing seam cladding for new first floor extensions to reduce weight on the existing structural frame and visually signal new interventions to the facades.
- New handrail system to allow safe access to new solar panels.
- Shading system to south elevation to control heat gain.

The layout of the proposed scheme would re-use the existing building to provide the majority of the new facility's accommodation and there would be a new two storey side extension on the east elevation of the building and a two-storey rear extension providing a new lift and its lobby. The proposed design and layout is acceptable from a visual perspective, would refurbish and regenerate an existing vacant building into a viable re-use and improve the character of the immediate area.

At the rear of the building the remainder of the site is entirely hardstanding to allow for parking and servicing. The proposed scheme would allow for 6no parking spaces interspersed by area of paving and soft landscaping and would include bin and cycle provision. The Highway Authority supports the proposal that allows for off street parking and a landscape/paving scheme to improve the visual appearance of the site.

In regard to the materials, it is noticeable that there is range of external materials such as brick and cladding used on buildings within the immediate vicinity of the former Post Office and the materials proposed would not harmfully impact upon the visual amenity of the area.

### **Amenity of Neighbours and Amenity of Future Occupiers**

The application site is located within Bloxwich Town Centre, adjoining the Market Square, away from residential properties and neighbouring amenity would not be adversely impacted by the proposed scheme. The proposed scheme would provide a learning, educational and community facility for the residents of Bloxwich and would not impact upon the amenity of future users of the facility.

### **Highways**

The site is positioned within Bloxwich Town Centre and as such is located within a sustainable location with a variety of local amenities and sustainable transport links accessible within a short distance of the site. There are no objections subject to a condition relating to the provision of the parking area and charging points.

## **Conclusions and Reasons for Decision**

The proposed scheme would improve the character and visual appearance of the area and increase footfall within the market square area as well as providing a new educational, learning and community facility for the local community. The design of the proposed scheme is visually acceptable and allows for a modern interpretation of an existing vacant building that will help ensure a viable reuse of the building.

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

## **Positive and Proactive Working with the Applicant**

Officers have spoken with the applicant's agent and in response to concerns raised regarding the size of a disabled parking space and that the reversing aisle should be shown on the proposed site layout plan, amended plans have been submitted which enable full support to be given to the scheme.

## **Recommendation**

Grant Planning Permission Subject to Conditions

## **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:

- Drawing No 4520-01 Rev C – Site Location Plan
- Drawing No 4520-103 Rev C – Proposed Site Plan
- Drawing No 4520-105 Rev F – Proposed Floor Plans
- Drawing No 4520-107 Rev C – Proposed Elevations

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).

3a. Prior to commencement of the development hereby permitted details of a programme of archaeological monitoring (watching brief) to be undertaken during ground works shall be submitted in writing to and approved in writing by the Local Planning Authority.

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

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

4a. Notwithstanding the details as submitted and prior to the occupation of development hereby permitted details of the proposed cycle shelter, which shall be secure, covered and illuminated, shall be submitted to and approved in writing by the Local Planning Authority.

4b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved cycle shelter and the approved cycle shelter shall thereafter be retained for the lifetime of the development and used for no other purpose.

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.

5. Prior to occupation of the development hereby permitted, the development shall not be implemented otherwise than in accordance with drawing number 4520-103C Proposed Site Plan. The parking spaces shall be clearly demarcated on the ground, consolidated hard surfaced and drained to prevent surface water from the parking/manoeuvring area running on to the public highway or into any highway drain. The parking spaces shall thereafter be retained for the purposes of parking vehicles and for no other purpose, including the storage of materials, apparatus and any other paraphernalia associated with the site operations for the lifetime of the development.

Reason: To reduce the need for on street parking in the interest of highway safety and ensure surface water does not run onto the highway and to avoid increased surface flooding to comply with Walsall's Unitary Development Plan saved policies GP2 and ENV40.

6a. Prior to occupation of the development hereby permitted, the development shall not be carried out otherwise than in accordance with the approved landscaping details, as shown on drawing no 4520-103 Rev C (Proposed Site Plan).

6b. 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.

7a. Notwithstanding the details as submitted and prior to occupation of the development hereby permitted details of the design and height of the gates as shown on 4520-103 Rev C shall be submitted in writing to and approved in writing by the local planning authority. The details shall demonstrate that the gates shall not be able to open out over the public highway at any time.

7b. The development hereby permitted 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: In the interest of highway and pedestrian safety in accordance with the saved UDP policies T7 and T13 of the Walsall Unitary Development Plan.

**END OF OFFICERS REPORT**