



## Planning Committee

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

Plans List Item Number: 12

### Reason for bringing to committee

Council application

### Application Details

**Location:** THE GRANGE, KING GEORGE VI AVENUE, WALSALL

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

**Application Number:** 21/1239

**Case Officer:** Helen Smith

**Applicant:** Walsall Council

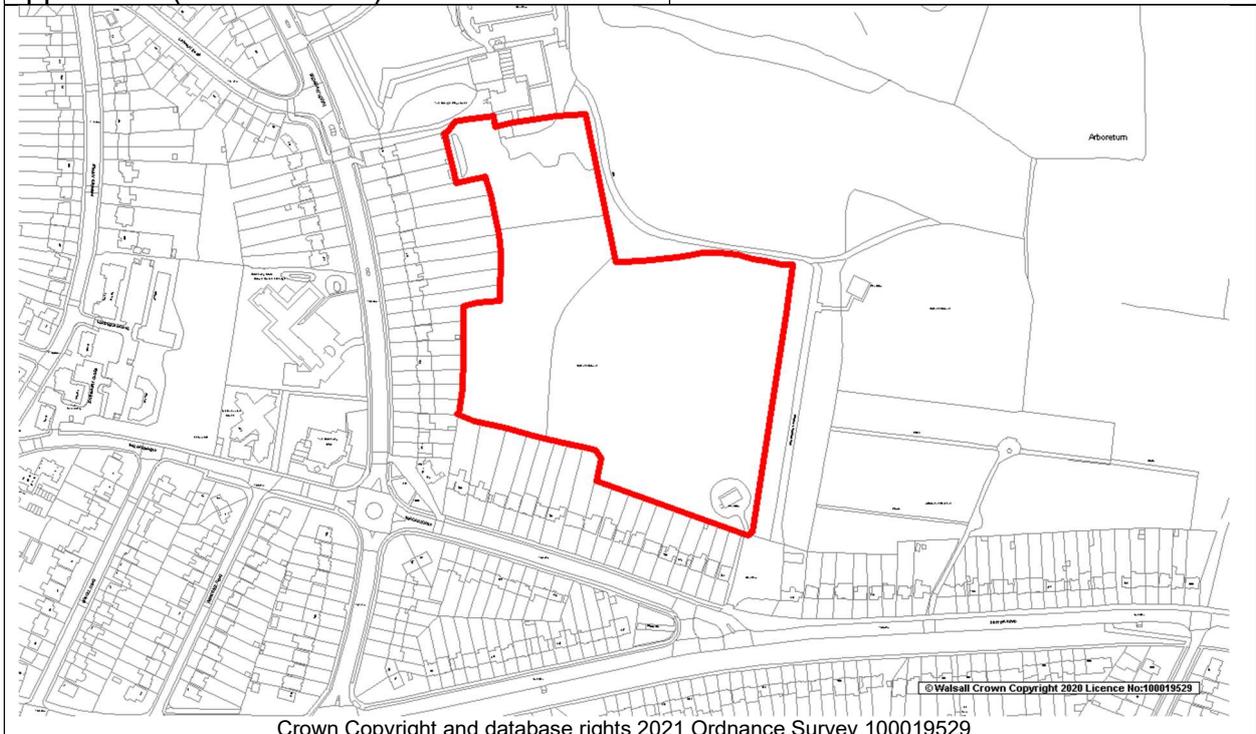
**Ward:** Paddock

**Agent:**

**Expired Date:** 17-Apr-2022

**Application Type:** Regulation 3: Minor Application (SI 1992/1492)

**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:

- The submission of an amended siting of the storage container to an acceptable location;
- No new material considerations being received within the consultation or re-consultation period;
- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed;

## Proposal

This proposal is for a cycle storage container to be located to the south of The Grange Pavilion near to The Crescent on the Arboretum extension.

Amended plans are awaited to re-locate the storage container to an acceptable location, and Members are therefore asked to delegate the decision to the Head of Planning and Building Control.

The storage container is part of a wider project called Places 2 Ride. This is a legacy of the UCI World Championships 2019. 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.

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

The proposed positioning of the storage container has already been relocated to move this further from the boundary of 177 The Crescent which is residential property.

## Site and Surroundings

The Arboretum Extension is a public open space. Access to the pavilion area is via a public car park and two sets of low padlocked gates.

The surrounding area is residential character to the south with vehicular access gained from The Crescent.

Residential properties sit close to the entrance to the park and the car park is overlooked by houses fronting Sutton Road (B4151).

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

## 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 8 – Promoting healthy and safe communities**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 12 – Achieving well-designed places**

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](http://www.go.walsall.gov.uk/planning_policy)

### Saved Policies of Walsall Unitary Development Plan

- GP2: Environmental Protection
- GP5: Equal Opportunities
- 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**

**Community Safety Team** – To be updated in supplementary paper.

**Environmental Protection** - To be updated in supplementary paper.

**Fire Officer** – No objection.

**Local Highway Authority** – To be updated in supplementary paper.

**Police** – To be updated in supplementary paper.

### **Representations**

None received at the time of writing this report.

### **Determining Issues**

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

## Assessment of the Proposal

### Design and Character of the Area

The proposed timber cladding is considered would soften the appearance of the steel container and as this would be sited within the park and located away from neighbours boundaries it is considered that it would integrate into its surroundings and would not harm the character of the area.

The provision of cycles within the park area is considered would be a beneficial amenity for park visitors. A further assessment will be made once the final location is provided.

### Amenity of Neighbours

An assessment will be made once the final location is provided.

### Access and Parking

The storage container would be accessed via the existing access to the pavilion and park across the existing public car park.

## Conclusions and Reasons for Decision

Members are asked to delegate this decision to the Head of Planning and Building Control to negotiate an acceptable siting of the proposed container and to allow the necessary re-consultation to take place prior to any decision being made.

The use of any necessary conditions that meet the 6 tests: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and reasonable in all other respects within the national planning guidance will be included in any final decision.

## Positive and Proactive Working with the Applicant

The submitted details are acceptable in principle, and negotiations are underway on a revised siting of the container.

## Recommendation

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

- The submission of an amended siting of the storage container to an acceptable location;
- No new material considerations being received within the consultation or re-consultation period;
- The amendment and finalising of conditions;
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## Draft Conditions and Reasons (*Officer comments in italics*)

*The following conditions are subject to change following receipt and consideration of the revised siting of the storage container:*

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
- Amended Block Plan
- 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**