



Planning Committee

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

Plans List Item Number: 1

Reason for bringing to committee

Major Application

Application Details

Location: LAND CORNER OF KING CHARLES AVENUE, WALSALL

Proposal: RESERVED MATTERS APPLICATION FOR 18 RESIDENTIAL DWELLINGS, TOGETHER WITH CAR PARKING, CYCLE AND BIN STORES, LANDSCAPED COMMUNAL AREAS AND ASSOCIATED WORKS. THE RESERVED MATTERS WE ARE SEEKING ARE SCALE, APPEARANCE, LANDSCAPING AND LAYOUT.

Application Number: 21/0184

Case Officer: Leah Wright

Applicant: M&E Consultancy (UK) Limited

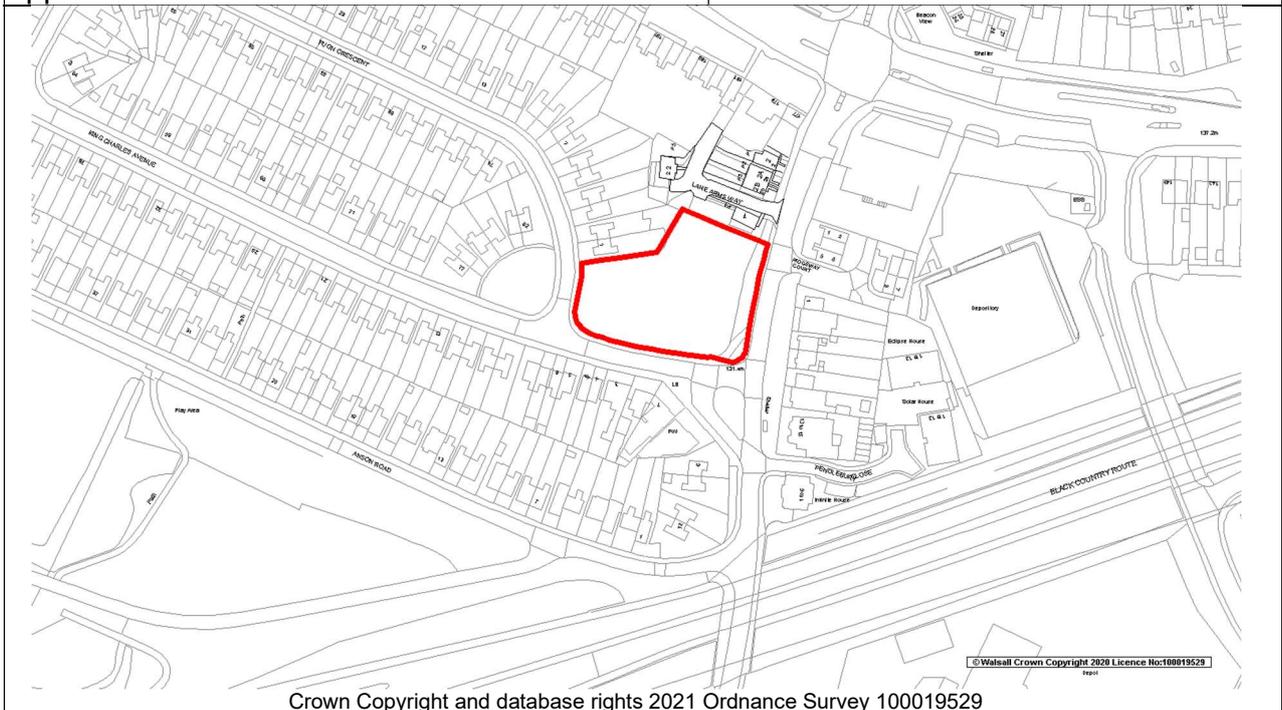
Ward: Bentley And Darlaston North

Agent: Hannah Fawdon

Expired Date: 14-Jun-2021

Application Type: Reserved Matters: Major Application

Time Extension Expiry: 23-Jul-2021



Recommendation

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

- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed;
- Overcoming the outstanding objection raised by Clean and Green.

Proposal

This application follows outline consent (16/0290) for residential development where access was the only point considered. The outline permission was approved on 19-06-2018. This reserved matters application seeks to determine the outstanding matters for consideration which are scale, appearance, layout and landscaping.

The application includes the following information:

Submitted plans- There are a variety of plans to support this application, including a suite of amended plans submitted on 17th December 2021 which required further consultation.

Planning Statement- Sets out the site and surroundings, Proposal, Local and National Policy, Planning assessment, Explains that this application also comprises of details to satisfy Conditions 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the Decision Notice attached to the outline application (16/0290).

Citrine Product Sheet- Summary of the external lighting that is proposed at the site.

Coal Mining Risk Assessment, Mine Entry Foundation Section and Mine Entry Location Plan- Report presents a desk-based review of all available information on the coal mining issues relevant to the application site. Identifies and assess the risks, sets out appropriate mitigation measures and demonstrates to the LPA that the application site is, or can be made safe.

Covering Letter- Summarises the description of development, enclosed documents, drawings and fee.

Design and Access Statement- Describes the site location, context, transport links, analysis and design.

Flood Risk Technical Note- Assesses risk of flooding at the site and identifies the site within Flood Zone 1 (low risk of fluvial, surface water, ground water, tidal and reservoir flooding). Minor surface water flood risk is noted adjacent to the site; it is considered the correct drainage and proposed site level design will avoid this flood risk migrating to the development boundary.

Drainage Strategy- The initial strategy for surface water drainage is via collection channels and gullies to an underground drainage system with a controlled discharge rate of 2L/s. An attenuation system will hold back flows beyond the limits of the flow control device. Principles of the design approach are detailed on the drainage strategy drawing. A new private foul system is detailed to cater for the new development drainage designed in accordance with BS EN 752 and building regulations part H. There are opportunities at site to accommodate new and utilize existing SuDs features.

Energy Statement- Presents the energy strategy for the scheme. Priority has been given to energy reduction and efficiency whilst renewable and low carbon technologies have also been considered.

Soft and Hard Landscape Proposals- Details the soft and hard landscaping strategy for the site.

Remedial Strategy and Verification- Specifies the outline remedial and verification works required to facilitate the proposed development. The remedial works will ensure that upon completion of the scheme the ground conditions will not pose a significant risk to future site occupiers.

Report on Site Investigation- A Phase I and Phase II ground investigation has been carried out to assess the prevailing physical and chemical ground conditions with regards to geotechnical/ foundation design, historical coal mining, ground gases and a Contaminated Land Exposure Assessment (CLEA) for the proposed development. The report contains a description of the site and its history, anticipated geology and strata encountered together with comments and recommendations upon the geotechnical design parameters.

Tree Protection Plan, Tree Survey and Tree Constraints Plan- Identifies the tree species, constraints and provides notes and recommendations.

Site and Surroundings

The application site is a parcel of land at around 0.45 hectares located on the corner of King Charles Avenue, Bentley Road North and Pugh Crescent, in Bentley, Walsall previously occupied by 10 x bungalows which were demolished post 1970s. The site has since largely greened over.

A further parcel of land directly to the north is currently being developed for residential purposes along with the Grade II Listed Bentley House further to the North. The remainder of the surrounding area is predominantly traditional two storey residential houses of simple design with a mix of hipped and pitched roofs, some with front gable features. Modern three storey flats are present along King Charles Avenue and convenience stores, a hot food takeaway and a church opposite the site along Bentley Road North and King Charles Avenue.

Relevant Planning History

21/0786- Section 73 application to vary Condition 6a of planning permission 16/0290 to reduce the stand off area/no build zone to 6 metres- Undetermined

It should be noted that the no build zone considered under this application is 15m.

16/0290- Outline application to seek approval of main vehicle access off King Charles Avenue only, all other matters reserved- GSC 19.06.2018.

Relevant Policies

National Planning Policy Framework (NPPF) www.gov.uk

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*".

All the **core planning principles** have been reviewed and those relevant in this case are:

- Find ways to enhance and improve places in which people live their lives
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas
- Encourage the effective use of land by reusing land that has previously been developed

Key provisions of the NPPF relevant in this case:

- **NPPF 2 – Achieving sustainable development**
- **NPPF 4 – Decision Making**
- **NPPF 5 – Delivering a sufficient supply of homes**
- **NPPF 9 – Promoting sustainable transport**
- **NPPF 11 – Making effective use of land**
- **NPPF 12 – Achieving well-designed places**
- **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**

On **planning conditions** the NPPF says:

Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

On **decision-taking** the NPPF sets out the view that local planning authorities should approach decision taking in a positive way to foster the delivery of sustainable development and look for solutions rather than problems and work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

Local Policy

Black Country Core Strategy

www.walsall.gov.uk/ldf_core_strategy

- CSP4: Place Making
- HOU1: Delivering Sustainable Housing Growth
- HOU2: Housing Density, Type and Accessibility
- HOU3: Delivering Affordable Housing
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality
- ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV6: Open Space, Sport and Recreation
- ENV7: Renewable Energy
- ENV8: Air Quality

Unitary Development Plan

www.walsall.gov.uk/unitary_development_plan

- GP2: Environmental Protection
- GP3: Planning Obligations
- ENV14: Development of Derelict and Previously-Developed Sites
- ENV17: New Planting
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV27: Buildings of Historic or Architectural Interest
- ENV32: Design and Development Proposals
- H1: Renewal of Existing Residential Areas
- T7: Car Parking
- T8: Walking
- T9: Cycling
- T10: Accessibility Standards – General
- T13: Parking Provision for Cars, Cycles and Taxis
- LC1: Urban Open Spaces

Site Allocation Document

HC1: Land allocated for New Housing Development (Under site reference HO37)
HC3: Affordable Housing and Housing for People with Special Needs
OS1: Open Space, Sport and Recreation
EN1: Natural Environment Protection, Management and Enhancement
EN3: Flood Risk
T4: The Highway Network

Supplementary Planning Document

www.walsall.gov.uk/ldf_supplementary_planning_documents

Conserving Walsall's Natural Environment

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

- NE1 – Impact Assessment
- NE2 – Protected and Important Species
- NE3 – Long Term Management of Mitigation and Compensatory Measures
- Survey standards
 - NE4 – Survey Standards
- The natural environment and new development
 - NE5 – Habitat Creation and Enhancement Measures
 - NE6 – Compensatory Provision
- Development with the potential to affect trees, woodlands and hedgerows
 - NE7 - Impact Assessment
 - NE8 – Retained Trees, Woodlands or Hedgerows
 - NE9 – Replacement Planting
 - NE10 – Tree Preservation Order

Designing Walsall

- DW1 Sustainability
- DW2 Safe and Welcoming Places
- DW3 Character
- DW4 Continuity
- DW5 Ease of Movement
- DW6 Legibility
- DW7 Diversity
- DW8 Adaptability
- DW9 High Quality Public Realm
- DW10 Well Designed Sustainable Buildings

Open Space

- OS1: Qualifying Development
- OS2: Planning Obligations
- OS3: Scale of Contribution
- OS5: Use of Contributions

Affordable Housing

- AH1: Quality of Affordable Housing
- AH2: Tenure Type and Size
- AH4: Provision Location
- AH5: Off Site Provision

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

Policies are available to view online: www.walsall.gov.uk/planning_policy

Consultation Replies

Archaeology and Historic Environment Officer-No archaeological implications for this proposal.

Clean and Green -Concern regarding site access for a RCV. Information on what bins should be purchased provided.

Coal Authority – no objections

Conservation Officer - A statement of heritage significance should be submitted. The proposed residential development would have less than substantial harm to the significance of the listed building, Bentley House and that scale of harm would be weighed as medium. The proposal would need to be weighed against public benefits, as set out in para 202 of the NPPF.

Environment Agency -No comment.

Environmental Health - No adverse comments.

Environmental Protection - Conditions provided to address ground gas and contaminated land issues, construction management to minimise impacts on neighbouring residential premises, and for properties with habitable room facades fronting onto Bentley Road North to incorporate improved acoustic glazing and acoustic ventilation.

Historic England - No comment.

Housing Standards - No comment.

Local Highways Authority - Support subject to conditions.

Local Lead Flood Authority - No objection- support the granting of planning permission.

Natural England - No comment.

Severn Trent Water - No objection subject to condition regarding a drainage scheme for the disposal of foul and surface water flows. Notes to applicant regarding public sewers to be included on any decision notice. Drainage condition on the outline should not be discharged at this point and as such should be imposed on the reserved matters application.

South Staffs Water - No comment received.

Strategic Planning Policy - This is a reserved matters application following the granting of outline planning permission, the current application raises no strategic planning policy issues.

Tree Preservation Officer - No objection to layout of the site. Landscape plans refer to a different layout and as such a condition requiring landscaping details prior to any construction works being undertaken on site will be necessary.

Waste Management (Clean and Green) - It is assumed that these properties will be serviced by a communal waste collection. They will require 1x 1100ltr and 1x 660ltr bin for general waste and 3x 1100ltr bins for recycling. The gates to the site must be open and bins accessible on the scheduled collection day. Concern regarding vehicle movements and bin collection need to be addressed.

West Midlands Fire Service-No objection. Note to applicant regarding Approved Document B, Volume 1, Dwellings, 2019 and gated access.

West Midlands Police- No objection; recommend principles of secure by design.

Representations

2 representations were received, 1 in support of the application and one with concern over the application. The comments are summarised as follows (Officer's comment are in italics):

- Houses will be an asset to the street as fly tipping is ridiculous at the moment.
- Are properties residential or social housing?- *The properties are residential dwellings. The Affordable Housing Contribution, including the percentage/mix to be provided on-site and/or the amount to be paid via commuted sum, shall be discussed and agreed with the Council prior to implementation works, as per Part 4 of the signed S106 agreement.*

Determining Issues

- Principle of Development
- Layout and Residential Amenity
- Scale and Appearance
- Amenity of Future Occupiers
- Landscaping
- Conservation
- Trees
- Ground conditions and Environment
- Highways
- Clean and Green
- Security
- Sustainability
- External Lighting
- Renewable Energy
- Planning Obligations
- Local Finance Considerations

Assessment of the Proposal

Principle of Development

The principle of redevelopment of this site for residential use and the access to the site was previously considered acceptable at the outline planning stage.

This site is located within a predominantly residential setting and is identified in the Site Allocation Document (SAD) as a housing site (reference HO37). Furthermore, re-development of a vacant and previously developed site is considered would provide positive regeneration benefits to the local and wider area and improve the visual amenity of the area.

The site is in an accessible and sustainable location and as such the current proposal is supported on planning policy grounds.

Core Strategy Policy HOU2 requires all new housing sites to provide a mix of housing sizes, whilst highlighting the need for family-sized housing. The proposal seeks to provide a range of dwelling sizes to meet local needs.

The proposed density of the development is in line with the suitable range as set out in Policy HOU2 (aim to achieve a minimum net density of 35 dwellings per hectare) which is informed by the level of accessibility by sustainable transport by residential services. There are numerous local amenities located within walking distance and there are two bus stops located adjacent to the site to provide access to Walsall.

Layout and Residential Amenity

The proposed buildings follow the established building lines of neighbours to the north on Bentley Road North and Pugh Crescent.

There was concern in the outline permission regarding the poor layout due to a portion of the site to the south-west being undeveloped which had the potential to attract anti-social behaviour and security risks. The layout has been amended since this outline application and Block B is sited in the south-west corner of the site, fronting King Charles Avenue, providing an entrance to the development. There is an area to the south-east of the site which has not been developed however this is due to a mine shaft and the Coal Authority have advised that they require a 'no build zone' with a radius of approximately 15m from the centre of the shaft. As such a communal garden and landscaping have been sited here to utilise the space.

It is considered that the proposed layout makes efficient use of the site.

The housing types are mixed across the development and provide a varied and natural layout with distinct blocks providing a sense of cohesiveness and variation within the site.

The site layout aims to create a courtyard style development with dwellings facing onto private amenity space and car parking, increasing natural surveillance. There is a turning area provided for a large truck within the layout and security gates are provided at the access which are set back sufficiently from the public highway.

The main vehicle access would be off King Charles Avenue and was considered acceptable as part of the outline planning permission and is considered to not result in severe transportation implications. In terms of pedestrian access, this is located on the eastern boundary of the site, whilst access to the dwellings on the western boundary can be accessed directly from Pugh Crescent.

In general it is considered that the plot layouts are appropriate and provide sufficient space and separation distances.

In terms of residential amenity, it is considered that the scale and mass of the buildings would avoid significant levels of overshadowing.

The proposed development is surrounded by residential properties on King Charles Avenue, Bentley Road North and Pugh Crescent. There are no side windows proposed to Block A which would have the potential to give rise to overlooking on 1 Pugh Crescent or to Block C which would have the potential to look onto one another (due to being separated) and onto 1 Bentley Road North.

It's noted that there are habitable rooms of the development at first and second floor that would look onto residential properties at King Charles Avenue and on Bentley Road North. The separation distance between the windows of the proposed development to the south and King Charles Avenue is approximately 19.7m whilst the windows to the east would look onto Bentley Road North at a distance of 31.1m. Whilst its noted that the separation between the habitable room windows at first and second floor to the south elevation looking onto King Charles Avenue does not maintain the 24m separation distance as recommended in the Designing Walsall SPD for habitable room windows at two storeys and above it is noted that the standard is applied more robustly at the rear than across roads at the front and as such the shortfall is not considered to be detrimental and result in undue overlooking. It is therefore considered that the development would not result in a negative impact to neighbouring occupiers and the proposal would integrate into the surrounding urban fabric.

Scale and Appearance

The proposal has sought to respect and reinforce the pattern of development in the area by providing a mix of 2 and 3 storey blocks.

The outline application as approved indicated that the development would include up to 16 dwellings being accommodated on site. This application originally proposed 23 units which has now been reduced to 18 units.

The proposed development comprises a range of dwelling types and sizes and are detailed as follows:

- 3 no. 2 bedroom houses (16.6%)
- 2 no 3 bedroom houses (11%)
- 7 no 2 bedroom 3 person apartments (38.8%)
- 1 no 2 bedroom 4 person apartment (5.5%)
- 3 no 1 bed 2 person apartment (16.6%)
- 2 no 3 bed 6 person apartment (11%)

Block A comprises a two storey building with three pitched roofs, one being a “saw-tooth” roof and two dual pitched roofs. The block would measure 7.03m in maximum height with eaves of 5.18m. The block would measure 17.19m in width and 8.15m in depth. The block has multiple windows and doors at the front and rear elevation. There are no side windows proposed.

Block B comprises a three storey building with four dual pitch roofs measuring 10.5m in maximum height with eaves of 7.6m in maximum height. The block measures 33.75m in maximum width and 9.65m in maximum depth. To the front and rear elevation there are a variety of window openings and to the west elevation there are a number of windows proposed. There are no windows proposed to the east elevation. It should be noted that land slopes slightly to the south of the site.

Block C comprises of two separate buildings. The first block is a three storey building with three dual pitch roofs measuring 10.6m in maximum height with eaves of 8.15m. The block would measure 16.8m in width and 9.8m in depth. There are numerous windows and doors proposed to the front and rear elevation. There are no side windows proposed.

The second part of the block comprises of two semi-detached dwellings with hipped roofs measuring 7.9m in height with eaves of 5.4m. The dwellings measure a combined width of 11.6m and a depth of 9.8m and consist of a variety of windows and a front door to the front elevation with stairs for access and to the rear elevation windows and a set of bi-fold doors with a stepped patio allowing access to the rear gardens.

There was concern that the immediate location is mostly characterised with semi-detached houses and as such the amendments were sought to the scheme and the proposed houses and block of flats in the south-western corner have been separated by 2.1m and a fence has been added to make the space secure.

It was noted that a modern approach has been taken to the building design however the elevations appeared to be out of keeping with the character of the street scene. As such amendments were sought and the elevation plans were updated to reflect a more acceptable roof design.

The building heights have been varied in response to the changing site levels in order to respect the surrounding area and not be at odds. It is considered that the unique roof forms of the building are modern and contemporary, adding visual character whilst providing a nod of the design of the Church on the corner, opposite the site.

In terms of materials the proposal utilise red brick and light mortar, making reference to the materiality of the surrounding buildings. Black aluminium framing is used for the door and window frames and glass balustrades are proposed for the balconies. Grey stone will be used to surround the openings.

The materials are considered to be suitable contributing to sense of place, variety and interest.

The scale and appearance of the proposed development is considered to be in line with the character of the area, would create a positive residential environment and demonstrates quality design while respecting traditional patterns of development and providing accommodation that is in demand in the area.

Amenity of future occupiers

Block A

Block A consists of 3 no. 2 bed, 4 person dwellings and each measure an internal GIA of 82sqm thus meeting the requirement for a 2 bed 4 person dwelling over two stories as stipulated in the National Space Standards (NSS). All habitable rooms of the dwellings are served by large openings and the bedrooms, whilst not dual aspect, are served by two windows allowing for an adequate amount of daylight and sunlight.

In terms of private amenity space the gardens are 66.2, 67.8 and 67.6sqm and a length of 12.1m thus meeting the requirement for private amenity space (68sqm or 12m in length) as stipulated by the Designing Walsall SPD.

Block B

Block B proposes 2no. 2 bed, 3 person dwellings at ground floor and measures an internal GIA of 61.7 and 66.6sqm thus meeting the requirement for a 2 bed 3 person dwelling over one storey as stipulated in the NSS.

In terms of private amenity space, the two dwellings are provided with 32.8 and 51.9sqm of private amenity space.

At first floor there is a 2 bed, 3 person dwelling measures an internal GIA of 62.3sqm, thus meeting the NSS and there is also a 3 bed, 6 person flat proposed with a GIA of 106.1sqm which meets the standard of 95sqm NSS.

The apartments are served by balconies measuring 7sqm for the 2b3p dwelling and 11.1sqm for the 3b6p dwelling.

At second floor there are 2no 2 bed 3 person apartments proposed with internal GIAs of 62.3 and 65.8sqm and a 3 bed 6 person apartment with a GIA of 97.5sqm again meeting NSS. The apartments are served by balconies measuring 7 and 10.1sqm for the 2b3p dwellings and 11.1sqm for the 3b6p dwelling.

All habitable rooms of Block B are served by large openings. The master bedrooms of the west most apartment is dual aspect at all three floors whilst all other bedrooms of the apartments are single aspect, however they are served by large openings for an adequate amount of light.

Block C

Block C has been amended since the original submission and split into two distinct blocks. At ground floor of the first block there is a 2 bed, 4 person dwelling with a GIA of 70sqm and a 1 bed 2 person dwelling with a GIA of 52.5sqm, both meeting the NSS. At first floor there is a 2 bed 3 person dwelling with a GIA of 68.5sqm and 1 bed 2 person dwelling with a GIA of 52.7sqm. At second floor there is a 2 bed 3 person dwelling with a GIA of 68.5sqm and a 1 bed 2 person dwelling with a GIA of 52.7sqm. All the GIAs meet the minimum requirements as stipulated in the NSS.

All habitable rooms of Block C are served by large openings allowing for an adequate amount of light.

The ground floor apartments of Block C are served by 25.5 and 25.8sqm of private amenity space whilst the flats at first and second floor are served by balconies ranging from 5.3 to 7.2sqm.

The other part of Block C is two semi-detached houses, both being 3 bed, 5 person houses other two floors, measuring 98.2sqm and 102.2sqm thus meeting the requirements of the NSS. All habitable rooms are served by large windows and there are large bi-fold doors to the rear of the property to allow light into the living space. The dwellings are served by 35 and 33.7sqm of private amenity space.

It is noted there are no north-facing single aspect dwellings proposed and all dwellings would allow for unobstructed views onto private amenity space or onto the surrounding roads.

Whilst it is noted that Block B and C have a shortfall of private amenity space they are all served by either a balcony or a smaller garden. Further there is over 300sqm of communal amenity space provided to the south-east of the site, which would supplement the shortfall.

It is considered overall that a good standard of amenity is achieved for all units and future occupiers.

Landscaping

A landscape strategy has been developed as part of the proposed scheme offering around 1184m² of external space towards affording a greater sense of quality and usability.

The boundary to Bentley Road North has a landscape buffer buffered, ensuring that the existing trees are retained and the houses fronting that edge have substantial separation from the busy road.

The landscaping plan takes advantage of the empty space left around the disused mineshaft, introducing planting and outdoor furniture to create a useful and comfortable outdoor space for residents who will maintain this space themselves.

Trees and planting have been placed strategically throughout the site to separate the houses and their external amenity from parking areas creating a more private, secluded feel in their outdoor spaces.

Although the landscaping is considered to positively impact on the development and would provide a good sense of residential environment the landscaping plans have not been amended to reflect the latest layout of the site and as such a condition will be implemented requiring hard and soft landscaping details to be submitted prior to any development works above ground level being undertaken on site.

Conservation

The proposed site is within the setting of Bentley House, a Grade II listed building. In the immediate setting of this listed building are other residential properties. The NPPF places great weight given to the asset's conservation. Bentley House sits at a higher

level, due to the gradient of the land, meaning the four houses to the south of the listed building are staggered in height.

The proposed residential development would have less than substantial harm to the significance of the listed building and the scale of harm is considered to be medium. In accordance with paragraph 202 of the NPPF the proposal would need to be weighed against public benefit.

It is considered that the development would bring about economic, social and environmental objectives through the creation of jobs due to construction and money into the local area through due to the development of the area, a social objective by contributing towards housing targets and an environmental objective due to replanting and the submission of a soft landscaping scheme. As such it is considered that the public benefit outweighs any harm to the listed building.

It is further noted that with regards to the harm to the setting of the listed building, there are already modern residential properties within the intermediate setting of Bentley House and therefore the residential development would not unduly harm the intermediate setting of the listed building.

Trees

There is a Tree Preservation Order Group (1/2008) on the boundary of the site consisting of 9 Plane Trees.

It is considered that there will be some excavation within the root protection area of the protected trees outside the site on the Bentley Road frontage to create a ramped vehicular access to the front of Block C. It is however noted that the incursion appears minor and the trees should be able to withstand the impact and as such there is no Arboricultural objection to the layout of the site subject to conditions to ensure tree protection.

Ground Conditions and Environment

With the current application, the Applicant has submitted a 'Ground Investigation' and a 'Remedial Strategy and Verification Plan' to deal with the contaminated land and ground gas issues.

Based on the reports submitted, Pollution Control would agree with the recommendations put forward by the consultant:

- action is required on the made ground (removal of) and the delineation/treatment of areas where excessive contamination was found, together with additional testing
- use of clean topsoil and/or cover material
- need for a 'watching brief' for unexpected contamination
- the site needs to be treated as a Characteristic Situation 2 site, i.e. a gassing site (carbon dioxide), which will require appropriate mitigation measures
- verification and validation will be required for all works

Based on the reports, and given issues that Walsall Council have encountered with other developments, the developer will need to agree a Remediation Statement in writing with the Local Planning Authority, not rely on the Consultants report, and

demonstrate that certain activities have been or will be undertaken prior to construction commencing.

The developer will be required to provide written Validation (evidence) of the ground-gas protection measures for every Plot and will be required to provide written Validation for any agreed garden or shared amenity areas in writing. Other developers within Walsall are validating each Plot (or combination of Plots) as they are completed, rather than validating the entire site at the end of the construction. The Validation process includes the taking of Photos, providing completed checklists, and providing reports/confirmation from suitably qualified persons.

Due to the need to incorporate ground-gas protection measures into the foundations of the buildings, Permitted Development Rights need to be removed and this will be done via condition so that any new development can be fully assessed.

The Black Country Air Quality Supplementary Planning Document (SPD) is relevant. It is noted from the site plans provided that not all of the premises have a drive or car parking space directly next to the house/premise. It is therefore recommended that a Statement on how a developer will comply with this SPD and a condition needs to be included requiring the developer to provide a written validation statement to the Local Planning Authority that demonstrates they have complied with the requirements, prior to occupancy.

The developer will need to install acoustic mitigation (glazing and ventilation) to habitable room facades that front Bentley Road North. If the developer wishes to install their own glazing and ventilation then this needs to be supported with a full acoustic survey, with the objective to meet the recommendations within ProPG: Planning and Noise 'New Residential Development', which incorporates the need to meet the requirements of British Standard BS8233:2014. If the developer decides to go down this route then the acoustic consultant needs to contact the Environmental Protection Section to agree a methodology and scope

Environmental Protection have provided conditions to address ground gas and contaminated land issues, construction management to minimise impacts on neighbouring residential premises, and for properties with habitable room facades fronting onto Bentley Road North to incorporate improved acoustic glazing and acoustic ventilation which will be included on any decision notice.

It is noted the site contains a mine shaft in the south-east corner of the site which the Coal Authority advise requires a 'no build zone' with a radius of approximately 15m from the centre of the shaft i.e. a diameter of 30m.

The remedial works outlined in the applicant's Coal Mining Risk Assessment Report should be fully implemented on site prior to the commencement of development. A condition to reflect this will be included on the decision notice.

Highways

The site is located in a predominately residential area and is considered to be a reasonably sustainable site with good links to public transport.

Original concerns regarding the layout required a variety of amendments as set out as follows:

- The main gated pedestrian route has been switched to the eastern side so that it links up with the other internal footways.
- The vehicle access has been reduced to 5.0m, as requested. Therefore the flat closest to the entrance has been enlarged to a 4 bed 6 person unit (from a 2 bedroom 4 person).
- Parking spaces 9, 10 and 11 are now 6m in length.
- The space to the east of parking space 2 is there to allow for outlook from the 2 bed 4 person duplex apartment.
- A fully inclusive accessible route between the rear car park and the two houses at the northern end of the site fronting Bentley Road North has now been proposed to avoid any unnecessary parking on Bentley Road North.
- A pedestrian route to parking spaces 13 to 17 has now been created.
- The highways authority have referred to an area of land under their ownership, the applicant would look to agree a S278 highways agreement in place to secure the works and a note to applicant will be implemented on the decision notice to remind them.
- An Swept Path Analysis has been prepared for a large delivery van to confirm the space on the site is sufficient.

The principle of access to the site was approved under 16/0290 and it is considered the proposed accesses meets the required visibility standards.

In terms of vehicular parking, 30 parking spaces are provided which is a provision of 13. This is considered acceptable. In order to control construction traffic management a CE would be required and would be a condition of any development.

The development will not have an unacceptable impact on road safety or have any cumulative impacts on the operation of the road network and is acceptable in accordance with the NPPF 2021 paragraph 111.

It should however be noted that the access road is to remain private and consequently Council's refuse/recycling vehicles will not enter onto the private area to collect waste. Additionally the submitted Swept Path analysis for a refuse wagon demonstrates that access is not suitable to serve as access to such a vehicle with the tracking showing overtopping of the kerbs and landscaping at the entrance. Therefore clarification of the proposed waste and recycling collection arrangements will be required and is discussed in the Waste Management section of this report.

Clean and green

Secure bin stores are proposed at ground floor level with primary external access off King Charles Avenue. The team have advised that bins that should be purchased for the complex are 1x 1100ltr + 1x 660ltr bin for general waste and 3x 1100ltr bins for recycling.

The Council's Clean and green team have considered that site access for a Refuse Collection Vehicle could be very difficult with the proposed layout and although it appears there is enough space for turning our HGV vehicles, it is very dependent on resident parking being completely in line with proposals, which is not always the case. If the site cannot be accessed, refuse will go uncollected and will become the responsibility of the managing agent or resident to resolve.

It is considered that an alternative would be for the collection of bins from the kerb side given the bin store is near the King Charles Avenue frontage without the collection vehicle having to enter the site (subject to confirmation by Walsall Waste management). This would be subject to bin storage space being available adjacent to the public footway on the day of collection and subject to the provision of a management plan confirming how this would operate.

It is therefore requested that members of the committee resolve to delegate to the head of planning and building control to grant planning permission subject to overcoming the outstanding objection raised by Clean and Green.

Security

Concern was raised in regard to the number of ground floor bedroom windows facing the street with the potential of being close to public footways. Landscape buffers are included create more privacy and security between the dwellings and the street. The Bentley North Road elevation includes a ramp and there was concern this could result in anti-social behaviour. It is considered that the controlled gate access would prevent this behaviour and would also ensure overall site security.

A condition requiring various security measures for the dwellings, in addition to a note to applicant regarding secure by design principles will be included.

Sustainability

Condition 11 requires details to be submitted to demonstrate energy consumption savings of 10 percent of the overall on site- energy demand. An energy statement has been prepared by Ensphere and confirms that the roof mounted PV panels will generate >10% of the regulated energy demands. The solar panels are shown on the Proposed Roof Plan and thus satisfy Condition 11.

Planning Obligations

Core strategy Policy HOU2 seeks to secure 25% affordable housing on all sites of 15 dwellings or more where this is financially viable.

The Affordable Housing Contribution, including the percentage/mix to be provided on-site and/or the amount to be paid via commuted sum, shall be discussed and agreed with the Council prior to implementation works, as per Part 4 of the signed S106 agreement.

Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to 'local finance considerations' when determining planning applications. In Walsall at the present time this means there is need to take account of New Homes Bonus monies that might be received as a result of the construction of new housing.

This application proposes 18 new homes.

The Government has indicated that, for 2019-20, it will award approximately £1,000 per dwelling per year, plus a further £350 for each affordable dwelling, for each net additional dwelling provided. The payment is made each year for a period of 4 years from completion of the dwelling. In 2019-20 the total payments, taking account of completions over the last 4 years, are expected to amount to £2,911,601.

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

Conclusions and Reasons for Decision

The proposal is a reserved matters application following the approval of outline consent. The scale and appearance of the scheme is in accordance with the local area and the layout follows the pattern of the development in the vicinity. The application is strongly supported on policy grounds and is acceptable from a highways, trees, conservation, flooding, ground condition and environment, security and sustainability perspective.

A condition has been implemented regarding the further submission of a hard and soft landscaping scheme as although the landscaping scheme may be acceptable it is based upon a different layout to that approved.

Walsall Council's Clean and Green Team are objecting on the basis that the site access for a Refuse Collection Vehicle could be difficult and as such it is requested that Planning Committee delegate back to the Head of Planning and Building Control to overcome this objection.

Taking into account the above factors it is considered that the application should be recommended for approval subject to the amendment and finalising of conditions, no further comments from a statutory consultee raising material planning considerations not previously addressed and overcoming the outstanding objection raised by Clean and Green.

Positive and Proactive Working with the Applicant

Approve

Officers have spoken with the applicant's agent and amended plans have been submitted which enable full support to be given to the scheme.

Recommendation

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

- The amendment and finalising of conditions;
- No further comments from a statutory consultee raising material planning considerations not previously addressed;
- Overcoming the outstanding objection raised by Clean and Green.

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:

- 770-002 Existing Site Plan REV A received 17.12.2021
- 770-001 REV A- Location Plan received on 17/12/2021.
- 770-142 Block A elevations REV A, received on 17/12/2021.
- 770-143 Block B elevations REV A, received on 17/12/2021.
- 770-144 Block C elevations, REV A, received on 17/12/2021.
- 770-141 Proposed Courtyard elevations REV A received on received on 17/12/2021.
- 770-101 Proposed first floor plan REV A received on received on 17/12/2021.
- 770-100 Proposed ground floor plan REV A received on received on 17/12/2021.
- 770-102 Proposed second floor plan REV A received on received on 17/12/2021.
- 770-131 Proposed sections REV A received on received on 17/12/2021.
- 770-140 Proposed Street elevations REV A received on received on 17/12/2021.
- 770-103 Proposed roof plan REV A received on received on 17/12/2021.
- 770-800 Schedule of Accommodation REV A received on received on 17/12/2021.
- 770-130 Site entrance section REV A received on received on 17/12/2021.
- 770-99 Proposed Site plan REV A received on received on 17/12/2021.
- 1337-002 Tree Protection Plan REV A received on received on 17/12/2021.
- 1337-001 Tree Survey and Tree Constraints Plan received on received on 17/12/2021.
- Citrine product sheet received on 01/04/2021
- Coal Mining Risk Assessment Report by Aba consulting received on 01/04/2021
- Covering letter by Hybrid Planning received on 01/04/2021
- Design and Access Statement by Ackroyd Lowrie received on 01/04/2021
- 900- External Drainage Strategy REV A received on 01/04/2021
- Energy Statement by Ensphere Group Ltd on behalf of M & E Consultancy received on 01/04/2021

- Flood Risk technical note by aba consulting REV A received on 01/04/2021
- SK01- Mine Entry Foundation Section received o 01/04/2021
- SK02-Mine Entry Location Plan received o 01/04/2021
- Planning Statement by Hybrid planning received on 01/04/2021
- Remedial Strategy and Verification Plan by GIP received on 01/40/2021
- Report on Site Investigation by GIP received on 01/04/2021

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 the commencement of development hereby approved, the details within the approved Mine Entry Location Plan (SK02) and mine entry foundation section (SK01) by aba consulting, received 01/04/2021 and the strategy for work to be undertaken to investigate/stabilise shall mine workings and recorded mine entry as detailed in the Coal Mining Risk Assessment Report by aba consulting, received on 01/04/2021 and shall be implemented.

3b. The approved details shall thereafter be retained for the lifetime of the development.

Reason: To ensure a safe and stable development and in accordance with NPPF paragraph 109 and Saved UDP Policy ENV14.

4. a) Prior to the commencement of the development hereby approved, a Construct Methodology Statement shall be submitted to and approved by the Local Planning Authc detailing;

i) where the parking and turning facilities for site operatives and construction delive will be located,

ii) full details of the wheel cleansing arrangements to prevent mud from being depos on the highway during the period of construction.

4b) This provision shall be retained during construction in accordance with the appro details.

Reason: In order to minimise on street parking by site operatives and the potential disrupt to the free flow of traffic along the public highway, in the interests of highway safety.

5a. Prior to the commencement of construction or engineering works a Construction Environmental Management Statement shall be submitted in writing to and approved in writing by the Local Planning Authority.

The Construction Environmental Management Statement shall include:

- i. Construction working hours
- ii. Parking and turning facilities for vehicles of site operatives and visitors
- iii. Loading and unloading of materials
- iv. Storage of plant and materials used in constructing the development
- v. A scheme for recycling/disposing of waste resulting from construction works
- vi. Site security arrangements including hoardings
- vii. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway
- viii. Measures to prevent flying debris
- ix. Dust mitigation measures

x. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper)

5b. 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.

6a. Prior to commencement of development 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 to and agreed in writing by the Local Planning Authority. (see Note for Applicant CL2).

6b. The remedial measures as set out in the 'Remediation Statement' required by part b) of this condition shall be implemented in accordance with the agreed timetable.

6c. If during the undertaking of remedial works or the construction of the approved development unexpected ground contamination not identified by the site investigation required by part a) of this condition is encountered, development shall cease until the 'Remediation Statement' required by part b) of this condition has been amended to address any additional remedial or mitigation works required and agreed in writing by the Local Planning Authority.

6d. A validation report confirming the details of the measures implemented together with substantiating information and justification of any changes from the agreed remedial arrangements shall be submitted to and accepted in writing by the Local Planning Authority prior to the development being brought into use (see Note for Applicant CL3).

Reason: To ensure safe development of the site, protect human health and the environment and to accord with NPPF Paragraph 109.

7a. Prior to the commencement of the development hereby permitted an Air Quality Low Emission Scheme shall be submitted in writing to and approved in writing by the Local Planning Authority, to install two electric-vehicle charging points in the parking bays and Ultra-Low NOx boilers inside the properties.

7b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved Air Quality Low Emission Scheme and the approved Air Quality Low Emission Scheme shall thereafter be retained for the lifetime of the development.

7c. Prior to the first occupation of the development hereby permitted a Low Emission Scheme Validation Statement shall be submitted in writing to and approved in writing by the Local Planning Authority. The Low Emission Scheme Validation Statement shall demonstrate that the agreed Air Quality Low Emission Scheme has been installed and is operational.

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 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.

8a. Prior to commencement of development plans shall be submitted to and approved in writing by the Local Planning Authority to show the disposal of foul and surface water flows.

8b. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution.

9a. Prior to development works above ground level of the development hereby permitted, details of landscaping including both hard and soft landscape works and earthworks shall be submitted in writing to and approved in writing by the Local Planning Authority.

9b. Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.

9c. 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.

10a. Prior to the first occupation of any dwelling on the development, a written Validation Report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the following measures have been installed and complied with:

i. Habitable rooms with facades onto Bentley Road North shall have acoustic glazing with a minimum sound reduction property, R_w , of 38 dB.

ii. Habitable rooms with a facade onto Bentley Road North shall have acoustic ventilation, with a minimum sound reduction property, R_w , of 38 dB in the open position.

10b. The approved measures shall be retained for the life of the development.

Reason: To safeguard the amenity of intended occupiers and to accord with Saved UDP policy GP2.

11a. Prior to the occupation of the first dwelling hereby approved a plan showing the location of full infrastructure for electric vehicle charging facilities for each of the proposed dwellings shall be submitted to and approved by the Local Planning Authority.

11b. The agreed scheme shall be fully implemented in accordance with the approved details and thereafter retained for the life of development.

Reason: In the interest of Air Quality and in accordance with UDP Policy ENV10 and Air Quality SPD.

12a. Prior to the first occupation of any dwelling on the development, the proposed access ways and parking spaces serving that dwelling shall be implemented, the areas being consolidated, hard surfaced and drained so that surface water run-off from the area does not discharge onto the highway or into any highway drain. All parking spaces shall be clearly demarcated on the ground.

12b. These areas shall thereafter be retained and used for no other purpose.

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

13. Prior to the main site vehicle access, individual vehicle accesses to Block A and pedestrian links to Bentley Mill Way first coming into use, footway crossings and footway links to be installed with the new accesses shall be installed to the satisfaction of the Highway Authority.

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

14. a) Prior to the development first coming into use, full details of the proposed cycle shelter 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 approved details.

b) The cycle shelter facilities shall thereafter be retained and used for no other purpose.

Reason: To encourage sustainable modes of travel and in accordance with UDP policy GP2 and Black Country Core Strategy TRAN4.

15. Prior to the first occupation of any part of the development the following shall be installed:

- i. Vehicle access gates to the main vehicle access which shall be set back at least 5 metres from the carriageway kerb edge;
- ii. Pedestrian access gates serving the pedestrian access to flats; and
- iii. Boundary treatment around the perimeter of the site.

15b. The approved details shall be thereafter retained for the life of the development.

Reason: In the interest of security and to enable a vehicle to pull clear of the carriageway when the gates are in a closed position, in the interests of the free flow of traffic along the public highway and highway safety and to accord with Saved UDP Policy T13 and DW2 of the Designing Walsall SPD.

16. The development hereby approved shall not be carried out otherwise than in accordance with the details as specified within the energy statement produced by Ensphere Group Ltd on behalf of M& E Consultancy as received on 01/04/2021 regarding energy consumption savings of 10 percent of the overall on-site energy demand for the development and shall thereafter be retained for the lifetime of the development.

Reason: To encourage sustainable development and reduce impacts on the environment and to accord with NPPF 10 and BCCS Policy ENV7.

17. The development hereby approved shall not be carried out otherwise than in accordance with the external lighting as specified on the Citrine product sheet received on 01/04/2021 and shall thereafter be retained or the lifetime of the development.

Reason: In the interests of residential amenity and community safety and to accord with Saved UDP Policy GP2.

18. The development hereby permitted shall not be carried out otherwise than in accordance with the approved measures within the Tree Survey and Tree Constraints Plan (1337-001) and Tree Protection Plan (1337-002 REV A) by Weddle Landscape Design, received on 17.12.2021.

Reason: To mitigate harm to the natural environment and protected trees in accordance with saved UDP policies GP2 and ENV18.

19: The development hereby permitted shall not be carried out otherwise than in accordance with the approved external materials as shown on the submitted plans. The facing materials shall thereafter be retained for the lifetime of the development.

Reason: To ensure the satisfactory appearance and functioning of the development in accordance with the saved policies GP2 and ENV32 of the Walsall Unitary Development Plan and in the interest of highway and pedestrian safety in accordance with the saved UDP policies T7 and T13 of the Walsall Unitary Development Plan.

20. The development shall be constructed to meet the following minimum security measures and retained as such:

- i. Vehicle access and pedestrian access gates to flats at 2.1m high, to be self-closing and self-locking and designed to prevent climbing.
- ii. All ground floor windows and any accessible windows should have at least one pane of 6.8mm laminated glass. This includes French doors and patio doors.
- iii. The frontages and accessible windows of the houses and apartments shall have defensible planting under them.
- iv. Use of PAS 24:2012 doors.

- v. Use of a minimum standard of TS-007 3 star rated cylinders with Secure By Design and Sold Secure Diamond Standard certification and ASB Thumb turn 3 star cylinders, Ultion Locks (or similar).
- vi. Use of 2.1 metre high rear perimeter fences to rear of dwellings erected so that the smooth face is always facing outwards including 300mm high anti-climb (Criss Cross) trellis topping. Where concrete post and panels are to be used the fence panels need to be secured together using galvanised metal straps, so that the panels cannot be lifted. The fencing shall be treated wood with a guaranteed life span of 25yrs. The fence height can be reduced to 1.8m between proposed rear garden areas.
- vii. All side entry gates to houses shall be 2.1m and be key lockable from both sides, positioned flush with the front of the building line. Their design and construction should not provide climbing aides for offenders.
- viii. No Lead or metal should be used on the ground floor, this includes outside taps to the front of properties. Where possible lead substitute products should be used.
- ix. All properties shall have a suitable intruder alarm, with a siren box front and back with dual or quad technology sensors and auto dialler function.
- x. Any communal entry to apartments shall be fitted with an access control system. This may be a proximity access control system, a door entry phone system and electronic lock release or a combination of these and shall include CCTV coverage of the flats.
- xi. Entrance and exit doors and frames to the flats shall be of a robust vandal resistant material, with vandal resistant viewing panels.
- xii. Entrances shall be well lit both internally and externally.
- xiii. Where communal areas are to be used for letterboxes DAD UK Ltd DAD009 1.5mm steel letterboxes shall be used.
- xiv. A Secured by Design cycle stand should be installed to serve any flats. The security anchor for the bike shall be certified to Sold Secure Silver standard or LPS 1175 issue 7:2010 SR1 and be securely fixed to the concrete foundation in accordance with manufacturers specifications.

Reason: To ensure the safety and security of the development and its occupiers, in the interests of visual and residential amenity and to accord with Saved UDP Policy GP2.

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

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

-Class E (building incidental to the enjoyment of a dwelling house),
-Class F (hard surfaces incidental to the enjoyment of a dwelling house),
-Class G (chimneys, flues),
shall be installed in any part of this development.

Reason: To safeguard the amenities of the occupiers of adjoining premises and to comply with saved policies GP2 and ENV32 of the Walsall Unitary Development Plan.

Notes to applicant

Air Quality SPD

The Air Quality SPD (Section 5.6) advises the following about Electric Vehicle Charging Points:

An external weatherproof and lockable covered 32 Amp external 7 pin charging socket to comply with EN 62196-2 and be compatible with a J1772 Type 2 connector. The charging unit should feature a Mode 3 (IEC 61851) communication module.

Wherever possible the power supply and charging point should both be phase 3 compatible and be located near the parking area for each dwelling. Where only single-phase power supply is available the charging unit should be capable of handling 3-phase power if supply is subsequently upgraded.

Each charging unit to be supplied by its own independent radial circuit.

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.

Working Hours

Demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall not take place on any Sunday, Bank Holiday or Public Holiday*, and such works shall not take place outside the hours of 08.00 to 18.00; and 08.00 to 14.00 on Saturdays. Plant, machinery or equipment associated with such works shall not be started up or operational on the development site outside of the hours above.

(* 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)

Acoustics

If alternative acoustic measures are to be installed then these need to be supported with an acoustic survey that has been conducted with due regard to 'Professional Practice Guidance on Planning and Noise for New Residential Development', ProPG, which is available from the websites of the Institute of Acoustics (IOA), Chartered Institute of Environmental Health (CIEH), and/or the Association of Noise Consultants (ANC).

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. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority under S38/278 of the Highways Act 1980. For further advice please contact Highway Development Control Team at Stephen.Pittaway@walsall.gov.uk
3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway.

Severn Trent

Severn Trent Water advise that there is a public 100mm foul sewer 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.

West Midlands Fire Service

Approved Document B, Volume 1, Dwellings, 2019 edition incorporating 2020 amendments – for use in England

Requirement B5: Access and facilities for the fire service

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

Requirement

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

- (1) The building shall be designed and constructed so as to provide reasonable facilities to assist fire fighters in the protection of life.
- (2) Reasonable provision shall be made within the site of the building to enable fire appliances to gain access to the building.

Intention

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

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

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

Section 13: Vehicle access

Provision and design of access routes and hard-standings

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

13.3 Access routes and hard-standings should comply with the guidance in Table 13.1.

13.4 Dead-end access routes longer than 20m require turning facilities, as in Diagram 13.1. Turning facilities should comply with the guidance in Table 13.1.

Overall

Access routes should have a minimum width of 3.7m between kerbs, noting that WMFS appliances require a minimum height clearance of 4.1m and a minimum carrying capacity of 15 tonnes (ADB Vol 1, Table 13.1).

Water Supplies

Water supplies for firefighting should be in accordance with ADB Vol 2, Sec 16 and “National Guidance Document on the Provision for Fire Fighting” published by Local Government Association and WaterUK:

<https://www.water.org.uk/wp-content/uploads/2018/11/national-guidance-document-on-water-for-ffg-final.pdf>

For further information please contact the WMFS Water Office at the address given above or by email on Water.Officer@wmfs.net

Sprinklers

Where sprinklers in accordance with BS 9251:2014 or BS EN 12845:2015 are fitted throughout a house or block of flats:

a) the distance between a fire appliance and any point within the house (in houses having no floor more than 4.5m above ground level) may be up to 90m:

b) the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75m (in houses or flats having one floor more than 4.5m above ground level) (BS 9991:2015 50.1.2).

The approval of Building Control will be required to Part B of the Building Regulations 2010

Early liaison should be held with this Authority in relation to fixed firefighting facilities, early fire suppression and access (ADB Vol 1, Section 7)

The external access provisions for a building should be planned to complement the internal access requirements for a fire attack plan. (CIBSE Guide E, Fire Safety Engineering 2010, p. 13-14)

West Midlands Police

Suitable lighting will provide some security.

Lighting at the levels recommended by BS 5489-1:2020.

External LED lights with daylight sensors to the external walls, particularly by entrances and lighting to parking areas.

Alarm and cctv installers should be approved by NSI, SSAIB or both please see <https://www.nsi.org.uk/> and <https://ssaib.org/> .

I would recommend security using the principles of Secured By Design.

The applicant may wish to consider crime prevention and home security advice contained within SBD New Homes.

Please see :

https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NE_W_version_2.pdf .

Dwelling entrance door-sets (SBD Homes 2019 page 29, 21.1-8).

PAS 24: 2016 standard doors for houses and apartments.
Consider combined fire and security door-sets. See attached door-set brochure.
Please see: <https://www.securedbydesign.com/guidance/standards-explained>

END OF OFFICERS REPORT