

Economy, Environment and Communities, Development Management

## Planning Committee

Report of Head of Planning and Building Control on 07 April 2022

Plans List Item Number: 2

### Reason for bringing to committee

### Major Application

#### Application Details

**Location:** FORMER SABRE LEATHER CO LTD, 19-21, SANDWELL STREET, WALSALL, WS1 3DR

**Proposal:** CHANGE OF USE FROM VACANT FORMERLY B1 (NOW E(G)(III)) TO C3 TO CREATE 12 ONE BEDROOM STUDIO APARTMENTS AND DEMOLITION OF CENTRAL STRUCTURES TO PROVIDE COMMUNAL COURTYARD

**Application Number:** 21/0134

**Case Officer:** Sally Wagstaff

**Applicant:** Harpreet Aulak

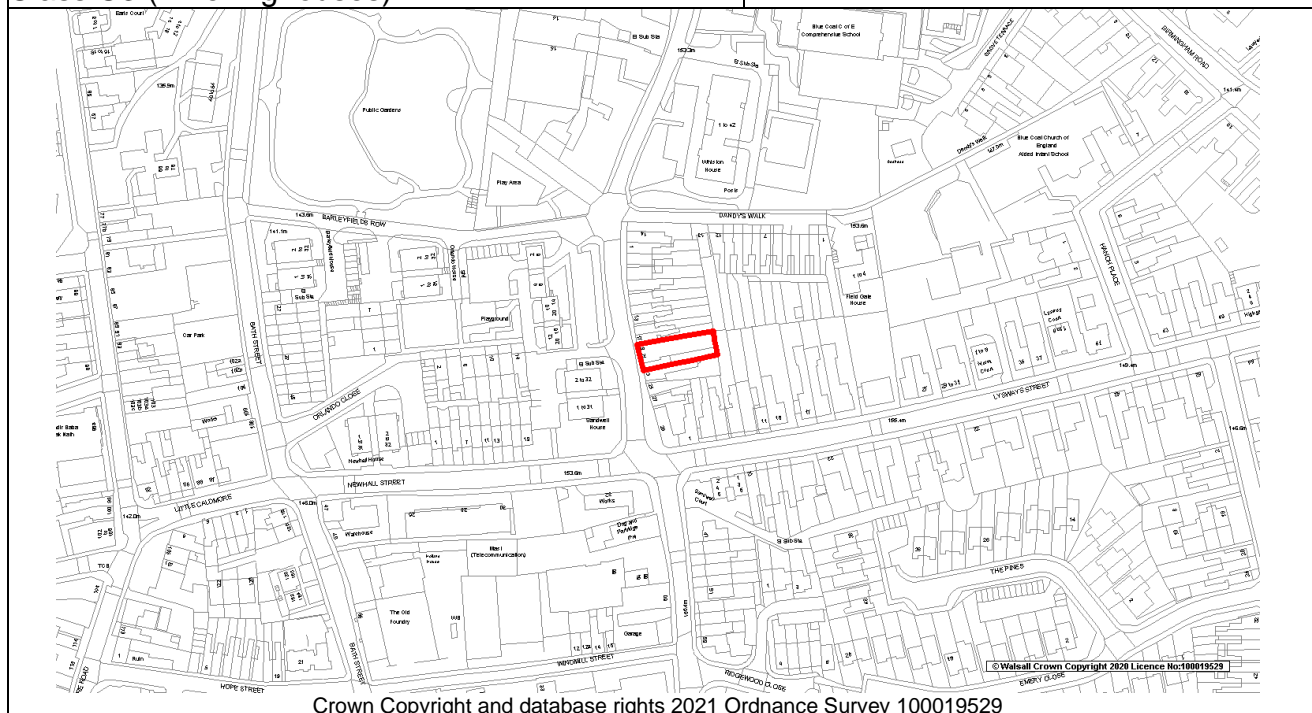
**Ward:** St Matthews

**Agent:** Mr Thomas Beavin

**Expired Date:** 16-Jun-2021

**Application Type:** Full Application: Major Use Class C3 (Dwellinghouses)

**Time Extension Expiry:**



## **Recommendation:**

1. Planning Committee resolve to Delegate to the Head of Planning & Building Control to Grant Planning Permission Subject to Conditions and s106 to secure an Urban Open Space Contribution of £8,412.00 and subject to
  - The amendment and finalising of conditions

## **Proposal**

The proposal relates to the Change of use from a vacant formerly B1 building (now E(g)(iii)) to C3 to create 12 one bedroom studio apartments and demolition of central structures to provide a communal courtyard.

The proposal includes retention and enhancement of the front two storey façade of the building (19-21 Sandwell Street locally listed building) along with retention of the L shaped three storey workshop and the two storey addition to the rear of the original street facing building. The northern boundary wall is to be reduced to 1.8 metres on the advice of the applicant's structural engineer. Heritage features found within the building including (but not limited to) the existing floor tiles within the existing vestibule and entrance hall and brick pavers within the service yard area are to be retained and existing timber and steel trusses along with steel beams and columns are to be fully exposed as part of the interior architecture.

Demolition plans include removing the central infill structures which are not considered to be of significant heritage value. Their removal will allow for the communal courtyard area.

There are two entrance/ egress points from Sandwell Street. Access into apartments 1,2,5 and 6 are from the existing pedestrian opening on Sandwell Street. Access into to the rear units will be via the existing loading access area with secure gates. The proposal will have a cycle store and refuse store. No car parking is proposed.

The accommodation schedule is as follows:

### **Ground Floor;**

Flat 1 –1 bed studio –22.5sqm  
Flat 2 –1 bed studio –22.0sqm  
Flat 3 –1 bed studio –25.5sqm  
Flat 4 –1 bed studio –45.0sqm

### **First Floor;**

Flat 5 – 1 bed studio – 40.0sqm  
Flat 6 -1 bed studio – 52.0sqm  
Flat 7 –1 bed studio –42.0sqm  
Flat 8 –1 bed studio –22.5sqm  
Flat 9 –1 bed studio –26.8sqm

**Second Floor;**

Flat 10 –1 bed Flat –41.0sqm

Flat 11 –1 bed studio –22.5sqm

Flat 12 –1 bed studio –26.8sqm

Communal amenity courtyard – 130.0sqm. Flats 2,3 and 4 have private outdoor seating areas.

**Cycle Store**

Provision for 16 double stacked cycles –19sqm

The application follows a previous application 19/1533 for 14no. 1 bedroom studio apartments arranged over 3 floors which was withdrawn on 2nd March 2020 to allow the applicant to consider the consultee comments. Within this submission the applicant has revised the scheme incorporating recommendations from the Heritage consultant and Structural Engineer with respects demolition proposals and further analysis of the existing structures to be retained.

Within this submission the applicant has reduced the number of units from 13 to 12 by incorporating flats 4 and 5 due to concerns regarding loss of privacy due to overlooking between the two flats.

The following documents are submitted in support of the application;

*Design and Access Statement* – Sets out the evolution of the proposal from pre application advise to the current scheme including a detailed history of the site and the heritage features found internally and externally.

*Planning Statement* – Details the relevant Development Plan and National Planning Policies.

Heritage Impact Assessment – concludes consider that the project preserves the significance of the building and enhances it and preserves and enhances the character of the Church Hill Conservation Area.

*Car parking and Survey Statement* – Concludes there is spare on street car parking capacity to accommodate the residential development

*Structural Report and Demolition Plans* – provides comments on the structural integrity of the property and plans detail the areas of the building are going to be demolished.

**Site and Surroundings**

The site area of 19-21 Sandwell Street covers 342sqm with overall floor space of 775sqm and is currently unoccupied. The site hosted a former leather saddle manufacturer known as 'Sabre Leather Co' until April 2019. The business and name was sold in 2019 and the manufacturer of goods now takes place in Willenhall. The building consists of offices, workshops, wc's. kitchens and a cellar, along with a loading access to the right-hand side of the property.

Sandwell Street is residential in character with 19-21 and the adjacent building 23-25 being the only commercial uses. 23-25 Sandwell Street is known as 'Chameleon Works' which has workshops within it including a music studio which is open daily. This property also has a first floor flat. Properties on Sandwell Street are generally two storey terraced dwellings with a block of flats known as 'Sandwell House' opposite the site.

To the north of the site at the junction of Summitt Street and New Street is an industrial building dating back from the early 20th century. Lyseways Street to the south east is residential in nature and Newhall Street to the south west is mixed residential and industrial in nature.

The site is located within Church Hill Conservation Area. 19-21 Sandwell Street is a locally listed building. There are locally listed within the intermediate setting of the application site including; 22, 23 and 36 Lyseways Street, The Old Foundry Bath Street, Ideal Works New Street and 1 and 2 Hanch Place. The application site is approximately 500 metres east from 5, 6, 7 and 8 Grove Terrace and Blue Coat School which are Grade II Listed buildings.

### Relevant Planning History

19/1533- 14no. 1 bedroom studio apartments arranged over 3 floors. Withdrawn 2nd March 2020

### Relevant Policies

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

[www.gov.uk/guidance/national-planning-policy-framework](https://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 5 – Delivering a sufficient supply of homes**
- **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**

- 3.13 to 3.15 Building Conservation & Archaeology
- GP2: Environmental Protection
- GP3: Planning Obligations
- ENV10: Pollution
- ENV25: Archaeology
- ENV27: Buildings of Historic or Architectural Interest
- ENV28: The 'Local List' of Buildings of Historic or Architectural Interest
- ENV32: Design and Development Proposals
- T7 - Car Parking
- 8.3 Urban Open Space
- 8.7 to 8.9 Strategic Policy Statement
- LC1: Urban Open Spaces

### **Black Country Core Strategy**

- Vision, Sustainability Principles and Spatial Objectives
- CSP4: Place Making
- DEL2: Managing the Balance Between Employment Land and Housing
- HOU1: Delivering Sustainable Housing Growth
- HOU2: Housing Density, Type and Accessibility
- 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
- ENV8: Air Quality

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

HC2: Development of Other Land for Housing

OS1: Open Space, Sport and Recreation

EN5: Development in Conservation Areas

T5: Highway Improvements

### **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
- DW9 High Quality Public Realm
- DW9(a) Planning Obligations and Qualifying development
- DW10 Well Designed Sustainable Buildings

### **Open space, sport and recreation**

- OS1: Qualifying Development
- OS2: Planning Obligations
- OS3: Scale of Contribution
- OS4: Local Standards for New Homes
- OS5: Use of Contributions
- OS6: Quality and Value
- OS7: Minimum Specifications
- OS8: Phasing of On-site Provision for Children and Young People

### **Air Quality SPD**

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

## **Consultation Replies**

### **Archaeological Officer**

No objections - there are no below-ground archaeological implications for the proposal. If the applicant was able to submit a higher resolution copy directly to the Walsall Historic Environment Record (to be publicly available), then this would suffice as a record of the building prior to development and no further recording would be necessary as a condition.

### **Conservation Officer**

No objection - the proposal would neither harm the setting nor significance of the locally listed or listed buildings within the intermediate area of the application site. Conditions recommended in relation to material details.

### **Environmental Health**

No adverse comment

### **Fire Officer**

No objection, proposal to comply with Approved Document B, Volume 1, Dwellings, 2019 - Access and Facilities for the fire service. Note to applicant recommended.

### **Highways England**

No objection



**Historic England**

No comment

**Local Highways Authority**

No objections subject to conditions

**Locality Manager (South area)**

Concerns regarding the number of units proposed and lack of private car parking which could create highway safety issues and further vehicle damage due to the additional need to park on street.

**Natural England**

No comment

**Network Rail**

No comment

**Police Architectural Liaison Officer**

No objections – secured by design principles recommended in relation to security measures for the building.

**Pollution Control**

No objections conditions recommended in relation to noise insulation between the apartments and the adjoining business, site survey for potential hazardous materials, a Construction Environmental Management Statement and the installation of low NOx boilers into the development.

**Severn Trent Water**

No objections subject to a condition for a foul disposal and surface water drainage scheme

**Strategic Planning Policy**

No objection - The release of the site for residential use can therefore be supported by BCCS policy DEL2. The proposal will add to the supply of housing and can be supported by SAD policy HC2 as well as by paragraphs 59, 117 and 118 of the NPPF. Paragraph 187 'agent of change principle' applies.

**Waste Management**

No comment received

**Representations**

43 objections have been received over the lifetime of the application, 1 comment of support and 5 neutral comments from 37 addresses. 13 of the addresses are not within Walsall borough. These comments are from users of the adjoining building 23-25 Sandwell Street. *Officer comments in italics.*

Concerns raised are related to the following:

**Principle of residential development**



- Property will be a 9 person HMO (*this is incorrect, please refer to description of development*)
- Overcrowding of street will result in reduction in property prices, specifically the property which is directly next door to the proposed flats (*This is not a material consideration in the determination of the application*)
- Not necessary to have one bedroom flats within a family area
- Overdevelopment of the site due to the number of units proposed

## Heritage

- Site is within Conservation Area which means permission should not be allowed (*no specific reasons given*)

## Impact upon existing local residents amenity

- Garden area/courtyard to be used by a large number of residents which will cause noise and disturbance to surrounding residential properties.
- No consideration given to sound proofing rooms – large number of people living in one area will cause noise issues to local residents adjacent
- Smells from smoking within the courtyard could arise (*the management company will implement rules relating to smoking facilities*).
- Smells from cooking could arise from people using courtyard area (*cooking facilities are not provided within the courtyard area, kitchen facilities are within individual units*).
- Demolition and construction work will lead to noise and disturbance to local residents and business in particular businesses at 23-25 Sandwell Street
- Due to the noise from residents of the premises businesses within 23-25 Sandwell Street will need to relocate
- Sandwell House opposite the site has drug related issues due to tenants which could be the case for this development (*there is no evidence to suggest that potential occupiers of the site will cause drug related issues*)
- Potential for anti- social behaviour which is already a problem in the area due to Sandwell House opposite the site (*any anti- social behaviour relating to other properties within the locality should be reported to the relevant authorities. The current proposal has been amended to reduce opportunities of anti-social behaviour on site*)
- Dust created during construction could cause health issues leading to users of the studios not being able to work
- Music studio within 23-25 Sandwell Street would be affected due to noise during construction

## Car parking

- Sandwell Street is used for parking vehicles by people visiting a number of local facilities including; The Doctor's Surgery, Guru Nanak Temple, workers of businesses in area, Blue Coat School (during events) St Matthew's Church, lorries for Highgate Foods in Summitt Street which results in inadequate parking for local residents and safety concerns due parking on grass verges, parking of pavements,

causing obstructions in the road.

- Proposal could result in 28 new vehicles as many 2 people household have 2 cars
- Parking in the surrounding streets is already limited
- Parking Survey was carried out in September 2019 which is not an accurate representation of the traffic
- No parking provided for visitors of residents living in development
- Emergency services have to park in the middle of the road due to lack of car parking spaces on Sandwell Street
- Refuse collections are missed due issues being able to access road due to obstructions by parked cars
- Local residents are parking in advisory disabled spaces and on pavement causing obstructions and safety concerns
- Local businesses would suffer as customers would not be able to park vehicles close by
- Incidents of accidental damage to cars has occurred due to existing car parking situation which could worsen
- Due to road being used by parents of children of Blue Coat School children the increase of traffic could lead to accidents with young children
- Property is located near a junction, more traffic could lead to dangerous driving conditions

### **Refuse/litter**

- Where would the refuse bins be placed on evening before collection – could block pavement
- Existing litter problems/dumping of waste caused by Sandwell House residents opposite site

### **Privacy**

- Overlooking caused due to windows facing onto neighbouring properties gardens

### **Drainage**

- Sewerage system will not take the additional number of people within the area
- Sandwell Street suffers with surface water flooding during heavy rain

### **Other matters**

- A site notice not posted (*A site notice was attached to a down pipe on the application site in 19th April 2021 and photographed in situ*)
- Adjoining first floor flat at no. 23-35 Sandwell Street was not consulted (*The Local Planning Authority can confirm the occupier of this property was sent a letter of consultation on 1st April 2021 and on subsequent set a letter about amendments on 23rd Feb 2022*)

## Determining Issues

- Principle of Development
- Heritage Assessment
- Design, Layout and Character
- Amenity of Neighbours and Amenity of Future Occupiers
- Highways
- Flood Risk / Drainage
- Ground Conditions and Environment
- Planning Obligations
- Local Finance Considerations

## Assessment of the Proposal

### Principle of Development

The site was previously used as a leather saddle manufacturer until April 2019. The site is an isolated industrial use surrounded almost entirely by residential use. It is not identified as employment land in the SAD. The release of the site for residential use can therefore be supported by SAD policy HC2 as well as by paragraphs 59, 117 and 118 of the NPPF.

The site adjoins a music studio (23-25 Sandwell Street) which could give rise to disturbance to future residents. Paragraph 187 of the NPPF the 'agent of change' principle states, "Planning policies and decisions should ensure that new development *can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed*".

The 'agent of change' principle in NPPF paragraph 187 will therefore apply to this proposal. To ensure that the new development would not have a detrimental impact upon the adjoining business the developer will need to provide acoustic installation between the apartments and 23-25 Sandwell Street as recommended by the pollution control officer.

The Design and Access Statement has advised that the proposal is to provide accommodation for young professionals. The site is within a sustainable location approximately 13 minute walk to Walsall Town Centre. There are also public transport links within close proximity to the site into the centre of Walsall and the wider borough. Local residents have advised the locality is inhabited by families with concerns raised that the target demographic would not be in keeping with that of the area. It is considered that whilst the nature of the development would not be attractive to families, a diverse range of accommodation types is suited to the locality due to the proximity to the town centre. It is considered that it in this instance the number of bedrooms per unit do not need to be revised.

On balance it is considered that the principle of residential development within this location is acceptable and would comply BCCS policy DEL2. The proposal will add to the supply of housing and can be supported by SAD policy HC2.

## **Heritage Assessment**

The Former Sabre Leather CO LTD is a locally listed building and sits in the intermediate setting of the locally listed building referenced above and the intermediate setting of Blue Coat and 5, 6, 7 and 8 Grove Terrace, statutory listed buildings.

Paragraph 197 of the NPPF states *‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.*

Policy ENV28 of the UDP states *‘The Council will not grant planning permission (or Conservation Area Consent, where applicable) for a development scheme which proposes the demolition or adverse alteration of a ‘local list’ building. Should it be demonstrated, for any reason, that it is impractical to retain a ‘local list’ building, in whole or in part, then the Council will require that the developer provides for the appropriate recording of the property, to a recognised standard, prior to demolition taking place’.*

The site is within Church Hill Conservation Area, Policy EN5 of the SAD seeks to preserve and enhance the character, setting and appearance of the conservation area.

Paragraph 193 of the NPPF states *‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.*

Paragraph 194 of the NPPF states *‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: 56 a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional’.*

Paragraph 195 of the NPPF states *‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c)*

*conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use'.*

Paragraph 196 of the NPPF states *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.*

The proposal also includes demolition of modern additions (1930's and 1950's) and part of the northern boundary wall. The demolition works involved would not result in substantial harm or loss of significance of the conservation area.

Overall, the scheme seeks positive enhancements to enhance and preserve the character, setting and appearance of the Church Hill Conservation Area. The conservation area is currently listed on the heritage at risk register as very bad; the proposed works to reinstate original features and undertake repairs to maintain the building, including part demolition to better reveal the building would positively contribute to the character, setting and appearance of the conservation area.

The demolition works would also enhance the significance of the locally listed building by removing later additions. The demolition would bring the building back to its 1902 'L' shaped form. The heritage statement has referenced the historic rear wing, 'shopping' which is an important feature of the conservation area. The proposed rear wing would be visible above the roofline of the existing building; however, from street level along Sandwell Street, the rear wing would not be highly visible, only visible from long distance views.

The proposal seeks to replace the existing Upvc windows on the ground floor to match the sash windows on the first floor and the removal of the box sign (which already appears to have been removed), these alterations would enhance the character, setting and appearance of the conservation area and as such would be supported.

It is considered that the proposed works would enhance the character, setting and appearance of the conservation area as would have a low impact upon the significance of the conservation area, and as such paragraphs 194, 195 and 196 of the NPPF are not engaged.

The proposed works would enhance the significance of the locally listed building by removing unsympathetic windows and clutter on the front elevation and reinstating the original layout of the building with the rear 'shopping' wing and as such should be supported in line with paragraph 197 of the NPPF and Policy ENV28 of the UDP.

The proposed plans seek to retain the existing cobbles in the courtyard and planting is also proposed. Details of the planting can be secured by way of planning condition.

I note the existing timber doors to the service yard are to be replaced by steel gates. It is considered the timber doors should be retained where possible. Details of the service yard door can be secured by way of planning condition.



An objection has been made by a local resident with regard to the development shouldn't be given permission because it is within a Conservation Area however no reasons were given to expand on this point. It is considered through the conclusions of the Heritage Assessment and the Conservation Officer's comments that on balance the proposed works would neither harm the setting nor significance of the locally listed or listed buildings within the intermediate area of the application site therefore the impact upon heritage assets does not warrant refusal of the application in this instance.

The Archaeological officer concludes there are no below-ground archaeological implications for the proposal. If the applicant was able to submit a higher resolution copy directly to the Walsall Historic Environment Record (to be publicly available), then this would suffice as a record of the building prior to development and no further recording would be necessary as a condition. Some of the drawings within this document are 'fuzzy' until you zoom into an individual section to ensure that the fit within the page. The officer will request that this issue is rectified and a copy sent over to Walsall HER.

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

The principle of the design is to utilise the existing buildings on site and conversion into residential accommodation. The building fronting Sandwell Street will have minimal design changes with entrances retained and utilised with improvements to the ground floor windows. Existing window openings on the southern elevation along with those at the end of the northern elevation and some that face into the proposed courtyard will be retained to preserve the historic character of the building. Internally the proposal will incorporate some of the heritage features of the building such as existing timber and steel trusses along with steel beams and columns are to be fully exposed as part of the interior architecture. The design and Access Statement advises any new materials proposed will match the existing with the intention to re-use materials from the demolition works. Existing white painted brick particularly around the rear courtyard will be sandblasted, restoring the original brick work where ever possible. The windows will be warehouse/critall style to be in keeping with the character of the building. In order to ensure that the materials proposed will provide a satisfactory appearance of development a condition is recommended for full details of materials to be approved. On balance it is considered that the proposal is in keeping with the historical character of the building and would not have a detrimental impact upon the character of the area.

The layout of the site includes two secure entrances and three separate staircases to gain access to the front, middle and rear flats. The central courtyard area can be accessed from the staircases. An area of landscaping is also proposed to the northern boundary which will act as a screen between the development and the neighbouring property no. 17 Sandwell Street. A condition for a landscaping scheme to be submitted will ensure appropriate landscaping will be incorporated into the development.

The proposal has been amended to take into account officer concerns regarding the impact the layout would have on usability of flat 4 and 5 due to privacy concerns which has resulted in the amalgamation into one unit. In general the number of units had decreased by 2 since the submission of 19/1533. It is considered the site can accommodate the level of development proposed.

The bin store has been relocated away from the flat 1 and 2 due to concerns regarding odour and appearance and placed within the courtyard at a no more than 20 m drag distance. Waste management have not commented on the proposal however it is considered to ensure that waste management are able to collect and return the bins in an appropriate manner ensuring that they are not left on edge of the pavement a condition is necessary for a waste management plan to be submitted and approved.

On balance it is considered the revised layout would result in a proposal that is safe, secure and functional for the occupiers.

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

The flat sizes within the development vary between 22.0sqm and 52.0sqm due to constraints within the existing building footprint. Walsall Council do not have adopted space standards in which to assess the appropriateness of flat sizes, nevertheless, National Minimum Space Standards are used as a guide for residential development. It is acknowledged that some of the units are under the prescribed 37.0sqm for a one bed, one person flat. It is considered that the Council has sought to address this by requesting the number of units are reduced. Within this application a reduction in one unit has been agreed. It is considered that whilst some of the units are smaller than the prescribed standards the smaller flats are dual aspect which allow for an acceptable level of natural light into the dwelling. On balance it is considered that the proposed flats would not result in a detrimental impact upon the quality of life for it's occupants.

21 Sandwell Street shares a party wall with an existing music studio and the activities carried inside this premises have the potential to give rise to significant noise emissions that could have an impact on the occupiers of the proposed dwellings. As mentioned above the 'age change' principle applies to this proposal to ensure that local businesses such as music venues do not suffer due to the introduction of residential development within close proximity. Concern has been expressed by users of the studio who do not want to see the business negatively affected due to new residential development. On balance, it is considered that in this instance the principle of introducing residential development within this location is acceptable however, the applicant will therefore need to agree a mitigation scheme which achieves a suitable degree of noise insulation between the apartments and the adjoining business as a condition for a noise insulation scheme can be secured by way of condition prior to commencement of development.

Concerns have been raised by local residents in relation to loss of privacy to garden area due to overlooking from windows on the northern boundary. The two boundary windows closest to the garden of no. 17 Sandwell Street will serve stairwells therefore not habitable spaces, however the applicant has advised they are proposed to be obscurely glazed to protect the amenity of neighbouring residents. The windows which face into the courtyard will be approximately 7 metres from the neighbouring garden of no. 17. It is considered that that whilst there will be an element of overlooking the garden, given the distance between the two on balance the proposal would not result in an undue loss of privacy as to limit the enjoyment of this amenity space. The proposal would not result in any habitable room window conflict between the two properties.

The windows on the southern boundary will serve habitable spaces and overlook the top of the mono pitched addition to the rear of 23-25 Sandwell Street which is a commercial



premises with a first floor flat within the main building. The applicant has advised that the windows will be obscurely glazed to protect the amenity of neighbouring residents nevertheless it is considered that the proposal would not result in a loss of privacy to any rear habitable room windows within the first floor flat as they are already screened by the existing mono pitched roof.

A louvered privacy screen system have been added to the some of the windows which face into the courtyard due to the window to window conflict between habitable rooms. It is considered that the addition of privacy screen will protect the amenity of occupiers of the flats. On balance it is considered the proposal would not result in an undue loss of privacy to the occupiers of the flats.

There is approximately 103.0sqm of amenity space is provided within the site in the form of a communal courtyard within the centre of the apartments created. This would be private and secure for the use of the apartments residents however it below the 20 sqm per unit as set out in the amenity space guidelines within Appendix of Designing Walsall SPD. It is considered that whilst the development would fall short of useable private amenity space for the occupiers the proposal is within a sustainable location in proximity to green spaces including Bath Street Gardens which is approximately a 3 minute walk from the site. Due to the apartments being no. 1 bedroom it is very unlikely that the development would attract those with families who are more likely to want larger outdoor space. On balance, in this instance it is considered the proposed shortfall is acceptable and would not have a detrimental impact upon the amenity of future occupiers of the site.

Concerns have been raised by local resident in relation to the potential for noise and disturbance from occupiers of the flats using the communal courtyard area .The courtyard is enclosed on three sides with part of the northern boundary exposed, albeit with planted screening to the boundary. It is considered the potential noise generated from this courtyard area would be no more than a domestic garden. It is considered it is unlikely that all 12 occupiers would be using the courtyard at the same time and if this was to be the case on balance any noise generated would not be unduly harmful to the amenity of neighbouring residents.

A number of concerns have been raised by local residents and the users of the building adjoining the site 23-25 Sandwell Street in relation to the impacts demolition and construction will have on their amenity in relation to noise, disturbance and dust. To ensure nearby residents are not unduly affected during demolition, construction and engineering works, a conditions are recommended to control working hours and measures for controlling noise, dust, flying debris, and drag-out from engineering and construction activities at the site.

Concerns have been raised by local residents in relation to current anti- social behaviour levels within the area and the potential for the proposal to increase anti- social behaviour area in the area. The Police Architectural Liaison Officer has been consulted on the application and has not raised concerns about the proposed use and it's potential to increase anti-social behaviour/ crime levels within the locality. In addition the officer has not raised concerns regarding existing crime levels within the area. It is considered that in this instance there is insufficient evidence that the proposed development would increase

the risk of anti-social behaviour/ criminal activity to warrant the refusal of the application for this reason.

Following the advice from the Police Architectural Liaison officer in relation to the recommended Secure by Design Principles, the applicant has removed the communal seating within the courtyard to avoid any potential disputes, and advises shared entrance doors and visitor door entry systems will be to SBD Homes 2019 S41, secure letter boxes will be provided prior to entering the private residents secure door and keyless entry and intercom system. All entrance and communal courtyard areas will have external LED lights with daylight sensors. On balance, It is considered the proposed development would be a safe and secure environment for the occupiers of the apartments.

## Highways

The applicant looks to convert a Light Industrial premises of around 775 sqm GFA to 12 one bed studio apartments. No parking is provided or possible.

Historically the property has not had any on-site parking of its own. Therefore to establish what the likely parking demand may be between the two uses, for comparison purposes, under T13 parking policy, the extant use equates to 29 spaces max (1 space per 30sqm GFA) and 20 spaces for the proposed use (full requirement at 1.5 spaces per flat). Therefore in purely parking policy terms the proposed use attracts less parking demand than the extant use.

However it is important to note that the times of peak parking demand for both uses will be differ. The extant parking would generally be during work daytime and for the proposed use in the evenings and weekends. Therefore whilst the proposed use attracts less parking its impact could be greater on many local residents who are also reliant on on-street parking

The applicant has submitted a Parking Survey undertaken in 2019 in a weekday evening to demonstrate that there is sufficient on street parking capacity available in the locality to accommodate the likely parking demand for the development. The survey shows that within 200m of the site around 113 spaces available on street, about half of possible capacity. This gives an indication that parking is available although clearly not directly outside the site all of the time or even in the same street.

Taking into account;-

- i) The site is within reasonable distance of the town centre and transport links and so is highly sustainable,
- ii) A survey shows that there is on street parking available on street within 200m of the site in the evenings when demand is highest,
- iii) The development consists of one bed studio apartments, the residents of which are unlikely to have high levels of car ownership,
- iv) 2011 Census data for this part of St Mathews Ward show around 63% of households do not own cars.

For the reasons above, on balance, 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 is acceptable in accordance with the NPPF 2021 paragraph 111. The Highway Authority supports the application, subject to conditions.

A number of concerns have been raised by local residents in relation to the validity of the parking survey due to the site being visited on only one occasion. The Highways Officer has reviewed this information and does not consider it necessary to ask the applicant to conduct further survey work.

Local residents have advised the proposal could lead to highway safety concerns due to the increase in traffic within the area. This has not been raised as a concern by the Highways officer who concludes the proposal would not have an unacceptable impact on road safety or have severe cumulative impacts on the operation of the road network.

With regard to comments made by local residents and the locality manager (south area – no longer in post) in relation to users of the road parking on pavements and disabled spaces, this is a matter for Traffic Management to investigate. Should locals have concerns please contact the Traffic Management team at Walsall Council.

### **Flood Risk/Drainage**

The site is not within a Flood Zone therefore the proposal does not require a Flood Risk Assessment. Concerns have been raised by local residents in relation to surface water flooding during heavy rain and the capacity for the sewerage system to take the additional residents in the area. Severn Trent have been consulted and have confirmed no objection to the proposal subject to securing a condition for drainage plans for the disposal of foul and surface water flows to be submitted to and approved by the Local Planning Authority prior to the commencement of development. A condition is recommended to the effect.

### **Ground Conditions and Environment**

Due to the nature and age of the buildings, a pre demolition site survey to be carried out to identify any potentially hazardous material (e.g. asbestos) and the production of a method statement detailing actions and time scale to be taken to prevent localised contamination. A condition is recommended to this effect.

With regard to the above application and air quality, has no concerns have been raised regarding relevant pollutant levels at the proposed site but, with reference to the adopted Black Country Air Quality Supplementary Planning Document (SPD), that this is a type 1 application. The applicant therefore needs to install low NOx boilers in the development. A condition is recommended to this effect.

### **Planning Obligations**

As the proposal is for a change of use, vacant building credit applies so no affordable housing is required.

An Urban Open Space contribution of £8,412.00 is required to comply with the Urban Open Space SPD policy and Policy LC1(d) of the UDP. The applicant has agreed this

figure and are actively engaged in the process for the completion of a 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 12 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**

In weighing the material planning considerations, taking into account the local and national planning guidance and views of neighbouring occupiers, it is considered and on balance the proposed residential development is acceptable.

Any economic and social benefits in this instance will not have any detrimental impact on the environment.

Taking into account all of the above matters, it is considered the proposals will not be in conflict with the aims and objectives of the National Planning Policy Framework, policies CSP4 DEL3 and ENV3 of the Black Country Core Strategy, policies, HC2, and EN5 of the Walsall SAD document and policies GP2 and ENV32 of saved Walsall Unitary Development Plan and Supplementary Planning Document Designing Walsall SPD and on balance is considered acceptable.

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

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

#### **Approve**

Officers have spoken with the applicant's agent and in response to concerns raised regarding the number and size of the units 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 Conditions and s106 to secure an Urban Open Space Contribution of £8,412.00 and subject to

- The amendment and finalising of conditions;

## Conditions and Reason

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:

Heritage Impact Assessment, submitted 01/02/21  
Structural Report, submitted 01/02/21  
Proposed Location and Site Plan, drawing no.1801 P102 submitted 17/01/21  
Proposed Plans, drawing no. 1801 P200 Rev C submitted 24/01/22  
Proposed Elevations, drawing no. 1801 P300 Rev C submitted 24/01/22  
Demolition Plan – Ground Floor, drawing no.20026 01 Rev P2 submitted 01/02/21  
Demolition Plan – First Floor, drawing no.20026 02 Rev P2 submitted 01/02/21  
Demolition Plan – Second Floor, drawing no.20026 03 Rev P2 submitted 01/02/21  
Demolition Plan- Side Wall, drawing no.20026 04 Rev P2 submitted 01/02/21

Reason: To ensure that the development undertaken under this permission shall not be otherwise than in accordance with the terms of the application on the basis of which planning permission is granted, (except in so far as other conditions may so require).

3: a) Prior to the commencement of development hereby permitted 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. Temporary portacabins and welfare facilities for site operatives
- vii. Site security arrangements including hoardings
- viii. Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway
- ix. Measures to prevent flying debris
- x. Dust mitigation measures
- xi. Measures to prevent site drag-out (including need for wheel cleaning and use of a road-

sweeper)

xii. Noise and vibration (if piling and/or ground stabilisation is to be conducted) mitigation measures

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

Reason: To ensure that no works commence on the site until a scheme is in place to safeguard the amenities of the area and the occupiers of the neighbouring properties and to control the environmental and highway impacts of the development in accordance with saved policies GP2 and ENV32 of Walsall's Unitary Development Plan and TRAN2 of BCCS .

4.a An intrusive pre-demolition asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers shall be submitted in writing to and approved in writing by the Local Planning Authority. The pre-demolition asbestos survey shall include:

- i. be written by a suitably qualified person
  - ii. demonstrably identify potential sources of asbestos contamination
- and
- iii. detail removal of any identified asbestos.

4b. Following demolition of the building hereby permitted and removal of any identified contaminated material a validation report shall be submitted in writing to and approved in writing by the Local Planning Authority to demonstrate that there is no remaining contamination on site including as a result of the removal of any hazardous materials and the building and to verify that the approved pre-demolition asbestos survey and mitigation has been carried out.

Reason: To ensure any potentially hazardous asbestos associated with the buildings or their previous use in accordance with saved policies GP2 and ENV14 of Walsall's Unitary Development Plan.

5a. Prior to the commencement of development hereby permitted p the applicant shall agree noise insulation scheme to address noise between the apartments and the adjoining busi use. As a minimum this scheme shall achieve a weighted sound reduction index (Rw) of not than 70dB.

5b. Prior to occupancy the applicant shall provide written validation to the Local Plan Authority that confirms implementation of the agreed noise insulation scheme.

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



6a. Prior to the commencement of development hereby permitted drainage plans for the discharge of surface water and disposal of foul sewerage and all existing and proposed underground services and sewers shall be submitted in writing to and approved in writing by the Local Planning Authority.

6b. The development shall not be carried out otherwise than in accordance with the approved details and the approved drainage shall thereafter be retained as installed for the lifetime of the development.

6c. The development hereby permitted shall not be occupied until the approved drainage has been installed in accordance with the approved plans.

Reason: To ensure the development is provided with a satisfactory means of drainage and/or to reduce the risk of creating or exacerbating a flooding problem and/or to minimise the risk of pollution and/or to safeguard water quality from fuels, oils and other chemicals from the site in accordance with NPPF10, BCCS Policy ENV5 and saved Walsall's Unitary Development Plan policy GP2 and ENV40.

7a. Prior to the commencement of the development hereby permitted a written schedule of materials to be used in the construction of the external surfaces including details of the colour, size, texture, material and specification of bricks including details of bricks to be used for infilling brickwork and blue brick to construct the cills bands, roof tiles, rainwater products and fixings (including gutters, hoppers and down pipes) and soffits shall be submitted in writing to and approved in writing by the Local Planning Authority. A sample of the above materials shall be made available on site for visual inspection by the Conservation Officer prior to the approval of facing and roofing materials.

7b. The development 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: To ensure the satisfactory appearance of the development and to comply with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD..

8a. Prior to the commencement of the development hereby permitted details of the replacement sash windows at a scale of 1:20 including:

- Details of the construction of the sash windows, including the material/s to be used
- External finish of the proposed windows to the front elevation shall be submitted in writing to and approved in writing by the Local Planning Authority.

8b. The development 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: To ensure the satisfactory appearance of the development and to comply with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD.

9a. Prior to the commencement of the development hereby permitted details of all the proposed windows at a scale of 1:20 including:

- Details of the window reveals and position of the windows in the reveals
- Details of the window function
- Details of the window opening
- Details of the construction of the proposed windows, including the material/s to be used
- Details of the external finish of the proposed window shall be submitted in writing to and approved in writing by the Local Planning Authority.

9b. The development 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: To ensure the satisfactory appearance of the development and to comply with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD.

10a. Prior to the commencement of the development hereby permitted details of all the proposed doors including the front entrance gates at a scale of 1:20 including:

- Details of the construction of the doors including the material/s to be used.
- Details of the external finish of the proposed doors

10b. The development 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: To ensure the satisfactory appearance of the development and to comply with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD.

10c. All pointing, re-pointing and mortar beds shall be undertaken using NHL2 lime mortar at the ratio of 1 part lime to three parts sand.

Reason: To ensure the works are sympathetic to the conservation of the historic fabric and character of the locally listed building in accordance with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD.

11. The method of pointing and bedding of new and existing masonry (in lime mortar as specified in condition 7) shall be as follows:

- All raking out of old mortar shall be done by hand and not power tools
- All new pointing shall be given a flush finish (not weather struck) and
- All pointing shall be pat finished and not smoothed by tooling

All pointing shall be undertaken in accordance with this methodology and between the months of April to October.

Reason: To ensure the works are sympathetic to the conservation of the historic fabric and character of the locally listed building in accordance with saved policies GP2, ENV28 and ENV32 Walsall's Unitary Development Plan, Policy DW3 of Designing Walsall SPD, Policies ENV2 and ENV3 of the BCCS and Policy EN5 of the SAD.

12a. Prior to the commencement of building operations above damp proof course of the development hereby permitted details of the proposed boundary treatment of the site, including heights, positions and extents, materials and finishes of all walls, fences, gates or other means of enclosure, shall be submitted in writing to and approved in writing by the Local Planning Authority. The submitted details shall include all internal site divisions in addition to the perimeter boundary treatments and all gates shall be designed and installed so they cannot open outwards onto a highway.

12b. The development shall not be carried out otherwise than in accordance with the approved schedule and the boundary treatments shall thereafter be retained for the lifetime of the development.

12c. The development hereby permitted shall not be occupied until all boundary treatments have been erected in accordance with the approved schedule.

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

13a. Prior to the commencement of building operations above damp proof course 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.

13b. Prior to occupation of the development hereby permitted the approved landscaping details shall be carried out.

13c. 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.

14a.. Notwithstanding the information shown on the submitted plans of the development hereby permitted and prior to the commencement of building operations above damp course details of waste management strategy shall be submitted in writing to and approved in writing by the Local Planning Authority.

14b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved Waste Management Strategy and thereafter retained for the lifetime of the development,

Reason: In the interests of the visual amenities of the area and appropriate waste collection facilities accordance with saved policies ,ENV10 and ENV32 of Walsall's Unitary Development

15.No boilers shall be installed in any of the units hereby permitted, save for

- Gas and liquefied petroleum gas (LPG) boilers with maximum NOx emissions no greater than 56 mg/kWh.
- Oil-fired boilers with maximum NOx emissions no greater than 120 mg/kWh.

Reason: To conserve and enhance the natural environment in accordance with BCCS policies ENV8 and DEL1.

16a. Prior to occupation of the development hereby permitted, details of all cycle shelters, which shall be covered and illuminated shall be submitted in writing to and agreed in writing by the Local Planning Authority.

16b. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the approved details shall thereafter be retained for the lifetime of the development and used for no other purpose.

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

17. Prior to the occupation of the development hereby permitted, the existing dropped kerb footway crossing serving the former courtyard entrance and made redundant for vehicular traffic as a result of the development, shall be removed and reinstated back to full kerb height to the satisfaction of the Highway Authority. All works within the public highway shall be in accordance with all statutory requirements

Reason: To provide an additional parking space on-street, to ensure the satisfactory completion and operation of the access, in accordance with UDP Policy GP2, and in the interests of highway safety

18. Notwithstanding the information shown on submitted plans, the development hereby permitted shall not be carried out otherwise than to meet the following minimum security measures and thereafter the security measures shall be retained;

-All external doors to individual dwellings to be PAS24; 2016

-All shared external doors shall have a door entry phone system and electronic lock release linked to each flat

- All ground floor windows and over accessible roofs to be PAS24; 2016
- All ground floor windows and over accessible roofs including French doors and patio doors to have not less than one pane of 6.4mm laminated glass.
- Dusk until dawn lights (white light source) to be installed adjacent to each external door
- Recycling and refuse areas to be secured at the rear of the properties in a lockable storage facility

No Lead or metal shall be used on the ground floor.

-All the dwellings shall be suitably with an intruder alarm by a registered SSAIB or NSI engineer to British Standard (BS EN 50131 Grade 2)

-Mail boxes shall be constructed of a minimum 1.5 metre steel construction, being lockable individual letter boxes, secure anti-theft proof and wall mounted located at the primary entrance/exit lobby point of the building, covered by CCTV

-lighting within internal communal areas shall be PIR activated

Reason: To ensure the safety and security of the development and its occupiers in compliance with NPPF 12 and saved policy ENV32 of Walsall's Unitary Development Plan.

### **Notes for Applicant**

#### **Highway Authority -**

1. The attention of the applicant is drawn to the need to keep the highway free from any mud or other material emanating from the application site of any works pertaining thereto.
2. The applicant will be required to obtain the necessary Road Opening Permit from the Highway Authority for the removal of the dropped kerb footway crossing within the public highway. For further information and application forms please visit the Council's webpage under **Transport and Streets - Parking Roads and Vehicles**.

#### **Pollution Control**

Demolition works shall not take place outside the hours of 08:00 to 18.00 weekdays and 08.00 to 14.00 Saturdays and no such works shall take place on Sundays, Bank Holidays or Public Holidays\*. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

All contaminated material to be removed from the site shall not be otherwise than be removed by a licensed waste carrier to a facility that is licensed to accept it.

## Secured by Design

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\\_NEW\\_version\\_2.pdf](https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NEW_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>

## Fire Officer

### Approved Document B, Volume 1, Dwellings, 2019

#### 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.

13.2 For flats, either of the following provisions should be made.

a. Provide access for a pumping appliance to within 45m of all points inside each flat of a block, measured along the route of the hose.

b. Provide fire mains in accordance with paragraphs 13.5 and 13.6.

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.

#### **Blocks of flats fitted with fire mains**

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

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

b. The fire main inlet connection point should be visible from the parking position of the appliance, and satisfy paragraph 14.10.

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

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

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

#### **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).

### **Section 14: Fire mains and hydrants – flats**

#### **Provision of fire mains**

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

a. The firefighting stairs.

b. Where necessary, in protected stairways.

The criteria for providing firefighting shafts and fire mains are given in Section 15.

14.3 Buildings without firefighting shafts should be provided with fire mains where fire service vehicle access is not provided in accordance with paragraph 13.2(a). In these cases, the fire mains should be located within the protected stairway enclosure, with a maximum hose distance of 45m from the fire main outlet to the furthest point inside each flat, measured on a route suitable for laying a hose.

#### **Design and construction of fire mains**

14.4 The outlets from fire mains should be located within the protected stairway enclosure (see Diagram 15.1).

14.5 Guidance on the design and construction of fire mains is given in BS 9990.

14.6 Buildings with a storey more than 50m above fire service vehicle access level should be provided with wet fire mains. In all other buildings where fire mains are provided, either wet or dry fire mains are suitable.

14.7 Fire service vehicle access to fire mains should be provided as described in



paragraphs 13.5 and 13.6.

### **Provision of private hydrants**

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

- a. It has a compartment with an area of more than 280m<sup>2</sup>.
- b. It is being erected more than 100m from an existing fire hydrant.

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

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

14.10 Each fire hydrant should be clearly indicated by a plate, fixed nearby in a conspicuous position, in accordance with BS 3251.

14.11 Guidance on aspects of the provision and siting of private fire hydrants is given in BS 9990.

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](mailto:Water.Officer@wmfs.net)

## **Section 15: Access to buildings for firefighting personnel – flats**

### **Provision of firefighting shafts**

15.1 In low rise buildings without deep basements, access for firefighting personnel is typically achieved by providing measures for fire service vehicle access in Section 13 and means of escape.

15.2 A building with a storey more than 18m above the fire and rescue service vehicle access level should have one or more firefighting shafts, each containing a firefighting lift (Diagram 15.1). The number and location of firefighting shafts should comply with paragraphs 15.4 to 15.7. Firefighting shafts are not required to serve a basement that is not large or deep enough to need one (see paragraph 15.3 and Diagram 15.2).

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

- a. There is a basement more than 10m below the fire and rescue service vehicle access level. The firefighting shafts should contain firefighting lifts.
- b. There are two or more basement storeys, each with a minimum area of 900m<sup>2</sup>.

### **As per the May 2020 amendment to this guidance –**

#### **Wayfinding signage for the fire service**

15.13 To assist the fire service to identify each floor in a block of flats with a top storey more than 11m above ground level (see Diagram D6), floor identification signs and flat indicator signs should be provided.

15.14 The floor identification signs should meet all of the following conditions.

- a. The signs should be located on every landing of a protected stairway and every protected corridor/lobby (or open access balcony) into which a firefighting lift opens.
- b. The text should be in sans serif typeface with a letter height of at least 50mm. The height of the numeral that designates the floor number should be at least 75mm.
- c. The signs should be visible from the top step of a firefighting stair and, where possible,



from inside a firefighting lift when the lift car doors open.

d. The signs should be mounted between 1.7m and 2m above floor level and, as far as practicable, all the signs should be mounted at the same height.

e. The text should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch.

15.15 The wording used on each floor identification sign should take the form Floor X, with X designating the number of the storey, as intended for reference by residents. The floor number designations should meet all of the following conditions.

a. The floor closest to the mean ground level (see Diagram D4) should be designated as either Floor 0 or Ground Floor.

b. Each floor above the ground floor should be numbered sequentially beginning with Floor 1.

c. A lower ground floor should be designated as either Floor –1 or Lower Ground Floor.

d. Each floor below the ground floor should be numbered sequentially beginning with Floor –1 or Basement 1.

15.16 All floor identification signs should be supplemented by flat indicator signs, which provide information relating to the flats accessed on each storey. The flat indicator signs should meet all of the following conditions.

a. The signs should be sited immediately below the floor identification signs, such that the top edge of the sign is no more than 50mm below the bottom edge of the floor identification sign.

b. The wording should take the form Flats X–Y, with the lowest flat number first.

c. The text should be in sans serif typeface with a letter height of at least half that of the floor indicator sign.

d. The wording should be supplemented by arrows when flats are in more than one direction.

e. The text and arrows should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch. NOTE: In the case of multi-storey flats with two or more entrances, the flat number should only be indicated on the normal access storey.

## **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).

## **As per the May 2020 amendment to this guidance –**

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7.4 Blocks of flats with a top storey **more than 11m** above ground level (see Diagram D6) should be fitted with a sprinkler system throughout the building in accordance with Appendix E. NOTE: Sprinklers should be provided within the individual flats, they do not need to be provided in the common areas such as stairs, corridors or landings when these areas are fire sterile.

The approval of Building Control will be required to Part B of the Building Regulations 2010 Early liaison should be held with this Authority in relation to fixed firefighting facilities, early

fire suppression and access (ADB Vol 2, Section 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)

### **Severn Trent**

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with 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 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.

**END OF OFFICERS REPORT**