



Planning, Engineering and Transportation

Delta Planning
Mr David Green,
1 Chester Court,
1677A High Street,
Knowle,
Solihull,
West Midlands,
B93 0LL

PLANNING DECISION NOTICE

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Planning (Listed Buildings and Conservation Areas) Act 1990 (As Amended)
The Town and Country Planning Act 1990 (as amended)

Grants Planning Permission Subject to Conditions

Part 1 – Particulars of Application

Applicant: University of Wolverhampton
Agent: Delta Planning
Application Number: 15/0165/FL
Site Address: UNIVERSITY OF WOLVERHAMPTON,WALSALL
CAMPUS,GORWAY ROAD,WALSALL,WS1 3BD
Proposal: Construction of new access off The Broadway together with
new car park and associated landscaping, plus closure of
access from Magdalene Road.

Part 2 – Particulars of Decision

Walsall Council, as Local Planning Authority, hereby **Grants Planning Permission Subject to Conditions** for the development described in Part 1 above and in accordance with the application and plans submitted.

CONDITIONS

1.This development must be begun not later than 3 years after the date of this decision.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended.

2. This development shall not be carried out other than in conformity with the following plans and documents: -

PLANS

- Amended Landscape Concept Plan (1520/15-02C) received 10/4/15
- Landscape Cross-Sections (1520/14-03C) received 10/4/15
- Existing Survey Plan (Q30117-0000-SK-006 REV1) received 30/1/15
- General Arrangement Plan Car Park and Access (Q30117-0000-SK-001 REV5) received 10/4/15
- Location Plan (Q30117-0000-SK-010) received 30/1/15
- House 39 and 41 Driveway Swept Path Analysis (Q30117-0000-SK-011) received 10/4/15
- Tree Removal and Protection Plan (1520-15-01 Rev A) received 30/1/15
- Vehicle Swept Path Analysis Plan (Q30117-0000-SK-009 REV1) received 30/1/15
- Street Lighting and Car Park lighting (Q30117-1300-SK-001) – received 30/1/15
- Topographical and Drainage Survey Sheet 1 of 3 (R-S10150/201) received 30/1/15
- Topographical and Drainage Survey Sheet 2 of 3 (R-S10150/202) received 30/1/15
- Topographical and Drainage Survey Sheet 3 of 3 (R-S10150/203) received 30/1/15

DOCUMENTS

- Flood Risk Assessment - Appendix A received 30/1/15
- Flood Risk Assessment received 30/1/15
- Planning Statement received 30/1/15
- Transport Assessment - Appendix F
- Transport Assessment received 30/1/15
- Travel Plan received 30/1/15
- Arboricultural Report received 30/1/15
- Car Park Management Plan received 30/1/15
- Landscape Design Statement received 30/1/15
- Access Options Assessment – April 2015 received 10/4/15
- Road Safety Audit received 10/4/15

Reason: For the avoidance of doubt and in the interests of proper planning, (except in so far as other conditions may so require).

3a. The development hereby permitted shall not begin until drainage plans for the disposal of surface water and foul sewerage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall take account of the proposed location of new tree and shrub planting to ensure a satisfactory juxtaposition.

3b. The scheme shall be implemented and retained in accordance with the approved details before the development is first brought into use.

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Development Management, Civic Centre, Darwall Street, Walsall, WS1 1DG Website: www.walsall.gov.uk/planning, Email: planning@walsall.gov.uk, Telephone: (01922) 652677, Textphone: 0845 111 2910, Fax: (01922) 652670

Reason: Necessary to ensure that surface water from the site is disposed of in a safe and appropriate manner in order to protect the integrity of the waterway structure and water quality and to safeguard the proposed replacement trees and preserve and enhance the visual amenities of the locality in accordance with policies ENV18 of the Walsall UDP 2005 and NE9 of the Walsall SPD (Conserving Walsall's Natural Heritage) and ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island of the adopted Black Country Joint Core Strategy and paragraph 120 of the National Planning Policy Framework relating to land instability

4a. Prior to the commencement of the development,

i) Full engineering details of the new signalised junction works within the existing highway and adoptable highway works shall be submitted to the Local Planning Authority for technical approval in writing, in consultation with the Highway Authority and UTC Urban Traffic Control.

ii) A review of the existing traffic signage on the approaches to the new University access shall be undertaken and full details of any modifications required shall be submitted to the Local Planning Authority for technical approval in writing, in consultation with the Highway Authority.

Note to the Applicant: The proposed signal junction arrangements to be submitted for final technical approval will require modification to include closely associated signal heads to enable the future provision of a right turn indicative green arrow, double secondary heads and a left filter arrow on the access road.

4b. Prior to the new junction first coming into operation, the highway infrastructure works and signage detailed under Condition 1 (a) (i) and (ii) above shall be fully implemented in accordance with the approved details and to the satisfaction of the Local Highway Authority.

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

5a. Prior to the overspill car park and access road thereto first coming into use, these areas shall be fully consolidated, hard surfaced and drained, to ensure surface water from these areas does not discharge onto the public highway or into any highway drain and the parking bays clearly demarcated on the ground.

5b. 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.

6a. Prior to the approved car park and new access/egress is first brought into use all approved boundary treatments shall be fully implemented in accordance with the approved plans.

6b. The boundaries shall thereafter be retained.

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

7a. Prior to the approved car park and new access/egress first being brought into use details of the proposed barrier system shall be submitted to and approved in writing by the Local Planning Authority

7b. The approved details shall be fully implemented prior to the use of the new access and car park first being brought into use by students or members of staff.

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

8a. Prior to the new car park or new access/egress onto Broadway is first brought into use by students or members of staff full details of all proposed tree planting, and the proposed times of planting shall have been submitted to and approved in writing by the Local Planning Authority

8b. All tree planting shall be implemented within 12 months of the completion of the development.

8c. Within a period of 5 years from the completion of the development, no tree, existing or proposed, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars the local planning authority. Any topping or lopping shall be carried out in accordance with British Standard 3998:2010 (Tree Work) and in accordance with any supplied arboricultural method statement. If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and planted within the first available planting season.

Reason: In order to safeguard and enhance the visual amenities of the locality in accordance with Policy ENV18 of the Walsall UDP 2005 and policies NE5 and NE9 of Walsall Council SPD, Conserving Walsall's Natural Environment

9a. Prior to the commencement of development details shall be submitted to the Local Planning Authority in conjunction with the Highway Authority, setting out where the location of parking for site operatives and visitors to the development site has been provided within the application site.

9b. The approved details shall be fully implemented prior to the commencement of the development and thereafter retained, maintained and kept available during the development process.

Reason: To prevent indiscriminate parking in the interest of highway safety.

10a. Prior to any works commencing on the site, protective fencing and ground protection such as geomembrane or scaffold boards shall be installed around all retained trees in accordance with the details shown on Drawing 1520-15-01 Rev A (Tree Retention, Removal and Protection).

10b. Following installation of the tree protection measures and prior to the commencement of works on site notification shall be given in writing to the Councils arboricultural officer (Cameron Gibson, 01922 654741) to allow a full inspection of the protection measures.

10c. The protection measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy ENV18 of the Walsall UDP 2005.

11a. The development hereby permitted shall not begin until a scheme showing details of a CCTV system including a facility for digital recording on site shall be submitted to and approved in writing by the Local Planning Authority.

11b. The scheme as approved shall be implemented before the use begins. All equipment installed as part of the scheme shall thereafter be retained and operated and maintained in full working order.

Reason: To safeguard the amenities of occupiers nearby.

12a. Prior to commencement of the new access/egress and car park, details shall be submitted to and approved in writing by the Local Planning Authority of how the car park will meet Secure by Design and in particular ParkMark principles.

12b. The scheme as approved shall be implemented before the use begins.

Reason: To safeguard the amenities of occupiers nearby.

13. Following completion of the new access off Broadway and the overspill car park first coming into use, the operation and management of the University Campus as a whole shall thereafter be implemented in accordance with the approved 'Car Park Management Plan' RQ30117T002-A submitted by Pell Frischmann as part of this application.

Reason: To ensure the satisfactory operation and management of car parking on the campus as a whole in order to minimise the potential of on-street parking on the surrounding highways, in the interests of highway safety and free flow of traffic on the public highway.

14. Following the new junction on Broadway and the permanent car park first coming into use, all vehicular and pedestrian access to the university campus from Magdalene Road shall permanently cease, with the exception of emergency service vehicles.

Reason: To remove pedestrian and vehicular traffic associated with the university campus from Magdalene Road, in the interests of the free flow of traffic on the public highway and highway safety.

15. No construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday*, and such works shall only take place between the hours of 08.00 to 18.00; and 08.00 to 14.00 on Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

(* 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)

Reason: To safeguard the amenities of nearby residents

POSITIVE AND PROACTIVE STATEMENT

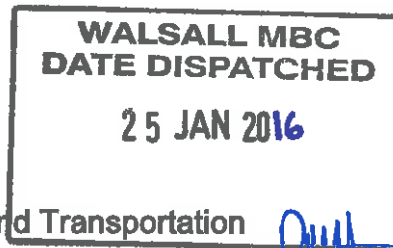
Walsall Council seeks to work proactively with owners, developers and their agents in the public interest to promote sustainable developments in the borough. In accordance with paragraphs 186 and 187 of The National Planning Policy Framework we encourage pre application discussion in all formats to help ensure that proposed developments are delivered in the most appropriate way that creates economic growth, suitable housing and other forms of development so long as they safeguard the natural and built environment, highway safety and the amenity of citizens. In this instance the council has been able to support the proposed development and has worked with the applicant as detailed in the planning report.

Your attention is drawn to the notes for applicant

Date of Decision: 25-Jan-2016



Steve Pretty - Head of Planning, Engineering and Transportation



NOTES FOR APPLICANT

1. Please read this decision notice carefully. If the conditions require you to submit further details, you must ensure that these details have been approved before you commence work. You may need to pay a fee to the Council to consider these details.
2. This decision is given only under The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and The Town and Country Planning Act 1990 (as amended).
3. This permission does not grant approval under the Building Regulations 2000 for which a separate application may be required. You are advised to contact the Building Control Section on telephone number 01922 652600 should you require further advice.
4. This permission does not grant approval or in any way override the requirement to comply with any restrictive covenant(s) that may be on the land. You should be aware that there is a risk involved in proceeding with development without clarifying whether there are any relevant covenants relating to the property.
5. Your attention is drawn to the Party Wall Act 1996. If you intend to carry out building work which involves:
 - work on an existing wall shared with another property
 - building on the boundary with a neighbouring property
 - excavating near a neighbouring building

You should find out whether that work falls within the scope of the Act. If it does, you must serve the statutory notice on all those defined by the Act as adjoining owners. You may wish to seek professional advice. However, two guidance booklets have been published entitled "The Party Wall etc. Act 1996: Explanatory Booklet" and "A Short Guide to the Party Wall etc. Act 1996", both are available from Communities and Local Government Publications, PO Box 236, Wetherby, West Yorkshire, LS23 7NB. Tel: 0300 123 1124, Fax: 0300 123 1125.

This booklet has been produced by the Department to explain in simple terms how the Party Wall etc Act 1996 ("the Act") may affect someone who either wishes to carry out work covered by the Act (the "Building Owner"), or receives notification under the Act of proposed adjacent work (the "Adjoining Owner").

This booklet has been simplified and updated to provide some answers to regularly asked questions. For example: what a party wall award can cover, what to do if a building becomes unsafe or there is excessive noise from the work being carried and the role of the surveyor.

The Party Wall Act 1996 Guidance can be found online at:
<https://www.gov.uk/party-wall-etc-act-1996-guidance>

6. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant your application subject to conditions permission for the proposed development, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Please Note: You must also send a copy of the appeal form direct to us, with copies of any documents or plans you are sending to the Planning Inspectorate that we do not already have.

FURTHER APPEAL ADVICE

You can find further comprehensive advice on the appeal procedures on the Planning Portal www.planningportal.gov.uk/planning/appeals

7. If permission to develop land is refused or granted subject to conditions, whether by the Council or by the Secretary of State, and you claim that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, you may serve on the Council a purchase notice requiring the Council to purchase your land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990. A notice may only be served on the Council by the owner of land concerned.
8. In certain circumstances, a claim may be made against the Council for compensation, where permission is refused or granted subject to the conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
9. Development must comply with Section 46 of the West Midlands County Council Act 1980 (namely it shall provide adequate means of access for the fire brigade to the

building or, to the building as extended, as the case may be. It must be ensured that existing means of access for the fire brigade to a neighbouring building are not rendered inadequate).

10. If this decision grants permission for new development, subdivision or a conversion that will give rise to new addressable properties, you must apply to obtain your new postal address(es) using the application form that you can obtain from the Street Naming and Numbering Team, Traffic Management, Engineering and Transportation Services, Civic Centre, Darwall Street, Walsall WS1 1DG or online at www.walsall.gov.uk/street_naming_and_numbering
11. Adoption of private sewers and lateral drains by Severn Trent Water on 1st October 2011. The Government has approved legislation The Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011 that from the 1 October 2011, transfers the ownership of all privately owned shared drains Severn Trent.

If you are looking to build an extension or new build you will need to check if the above will affect you, in the first instance you will need to contact Severn Trent water Limited on 01902 793871 or check the website for more information on www.stwater.co.uk.

If your proposal is affected by an adopted sewer (Public Sewer) a Building Notice form of application cannot be used. In these instances a FULL PLAN application must be submitted

Therefore, prior to considering submitting a Building Notice, it is essential that you contact Severn Trent water Limited on 01902 793871 for advice.

The Council does not accept any liability for loss or damage of any nature relating to the foul or storm water drainage of the site.

12. Please refer to the attached Coal Authority advice note.

If you would like further information or clarification of the reasons for this decision contact the Planning Helpline on 01922 652677 or email planningservices@walsall.gov.uk.

Alternative language or format: If you would like this information in another language or format contact the Planning Helpline on 01922 652677 or Textphone 0845 111 2910



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Direct Telephone: 01623 637 119

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/government/organisations/the-coal-authority

STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

This Standing Advice is valid from 1st January 2015 until 31st December 2016