

**20/00765/FUL
MAJOR**

Mr Ian Guy

TRYSULL & SEISDON

Cllr Victoria Wilson

Holly Bush Inn Ebstree Road Trysull WOLVERHAMPTON WV5 7JE

Change of use of former pub premise and beer garden to customer parking with hard landscaping display area, sewage treatment plant, equipment store, general storage yard for hard landscaping business and wildlife area as shown on plan 9726/PL05 Rev C.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application site has a total area of approximately 2 hectares and is presently occupied by a former Public House with an extensive rear beer garden. The public house is positioned on the road frontage which is surrounded by hard standing [car park] on the South side of Ebstree road, in the open countryside.

1.1.2 The site is bordered by native species hedgerows and an internal mature Leylandii hedgerow.

1.1.3 The site is approximately 1.5km to the north of the village of Trysull and 2km to the north east of the village of Seisdon.

1.2 Planning History

1992, Kitchen Extension, approved (92/00340)

1984, Entrance Vestibule, approved (84/01032)

1984, Extensions, approved (84/00889)

1982, Proposed Alterations to Bar And New Toilet Block Extension, approved (82/00766)

1981, Use of Land And Cabin For Purpose Of Clay Pigeon Shooting, refused (81/00857).

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 The application proposes the change of use of former pub premise and beer garden for use by a hard-landscaping business. The existing car park will be utilised and there will be a new customer display area, sewage treatment plant, equipment store, general storage yard and wildlife area.

2.1.2 Throughout the course of the application the proposal has been revised which has removed the proposed extensions to the existing public house and reduced the size of the customer display area and the storage yard.

2.1.3 The existing business is currently located at Dimmingsdale nursery - Midland Stone Paving. The company has outgrown their current premises and the applicant currently employs 5 staff and anticipates that the re-location will see the addition of a dozen jobs in the next 12-18months.

2.1.4 The revised scheme makes use of the former public house for office/sales area and no expansion is proposed to the building or to the existing car park. The first floor will still be used for residential purposes.

2.1.5 The new additions to the site would be the creation of a 17m deep x 44m wide customer display area, leading directly off the car park. It would be enclosed by a new native hedgerow.

2.1.6 The rear of the site [former beer garden/play area etc] would be used for a paving and stone storage area, which would occupy some 4200sqm [approx. 72m deep by 52m wide], with a new internal road erected. This area would include some aggregate bays.

2.1.7 A new machine store would be erected to the rear of the public house adjacent to the internal road and a conifer hedge. The machine store would measure 10m long by 8m wide by 4m high. It would be constructed from green metal cladding.

2.1.8 Security gates and fencing will be installed on the frontage part of the site to the car park and the customer display area. The gates and security fence on the front boundary will be set back 5.6m from the road and will predominately sit behind the existing hedgerow and new frontage planting.

2.1.9 The remaining area under ownership approx. 8100sqm [southern part of site] will be used as a wildlife area.

2.1.10 The proposals include additional planting including a new hedgerow along the eastern boundary.

2.2 Agents Submission

2.2.1 The agent has provided the following documents:

- Design and Access Statement
- Tree Report
- Transport Statement
- Flood Risk Assessment
- Business Appraisal
- Viability Report [confidential]
- Ecological Statement

3. POLICY CONTEXT

3.1 The site is in the Green Belt

3.2 Core Strategy

NP1: The Presumption in Favour of Sustainable Development

CP1: The Spatial Strategy

GB1: Development in the Green Belt

EQ1: Protecting, Enhancing and Expanding Natural Assets

EQ3: Conservation, Preservation and Protection of Heritage Assets

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

EQ7: Water Quality
EQ9 Protecting Residential Amenity
Core Policy 4: Promoting High Quality Design
EQ11: Wider Design Considerations
EQ12: Landscaping
CP9: Rural Diversification
EV5: Rural Development
EV6: Re-Use of Redundant Rural Buildings
EV12: Parking Provision
Appendix 5 Car parking standards
Appendix 6 Space about Dwellings

3.3 National Planning Policy Framework

3.4 Green Belt and Open Countryside Supplementary Planning Document

4. CONSULTATION RESPONSES

4.1 Comments received

Councillor: No comments received, expired 02/12/2020

Parish Council [27/11/2020]: *No objection*

Arboricultural Officer [23/11/2020]: *No objections subject to conditions*

County Ecologist [03/12/2020]: *I am satisfied with the ecology report submitted and agree with its recommendations. The site plans show substantial native hedge planting, which is welcomed, however there is no detail provided about the area to the south 'future wildlife area to be developed in a phased manner'. Because most of the site is proposed to be converted to hardstanding, the lack of information about the wildlife area does not enable a clear conclusion on biodiversity loss / gain. The ecological statement suggested that a pond, orchard and woodland planting could be accommodated in this area, which would provide for on-site biodiversity mitigation and ensure no net loss.*

Low-growing plants and any stored materials on site may be used as a refuge by hedgehogs and other animals. When removing vegetation or moving materials the applicant should be aware that this may be the case and should take care not to harm individuals, especially when moving material that has been stored for months. This is particularly important in winter months when animals may be hibernating.

Scrub, trees and buildings on site offer suitable habitat for nesting birds. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and I have therefore recommended a condition to cover this.

External lighting should be installed on buildings and / or access routes and / or exterior spaces (patios etc) so that residents and customers can safely access the property and so as to prevent poor-quality floodlighting etc., being retrofitted on occupancy which then disturbs bat flight routes. I have suggested a condition for this; the applicant should ensure a contour diagram is included that demonstrates levels of lighting on receptor habitats. Lighting should be designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK. Conditions recommended

Environmental Health: No comments received, expired 02/12/2020

Local Plans: No comments received, expired 02/12/2020

Environment Agency [16/11/2020]: *No comments*

Campaign to Protect Rural England: No comments received, expired 02/12/2020

Fire [12/11/2020]: *Comments to be added as an informative*

Police [27/11/2020]: **Comments to be added as an informative**

National Grid: No comments received, expired 02/12/2020

County Planning [20/11/2020]: *No comments*

Severn Trent [26/11/2020]: *As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.*

Flood Team [03/12/2020]: *Additional information requested. An updated flood risk assessment was received on the 19/02/2021 and further comments from the flood team will be added to the late list.*

County Highways [25/11/2020]: *No objections subject to conditions*

No neighbours were consulted.

A **site notice** was displayed on the 13/11/2020 and **advert** published on the 17/11/2020

5. APPRAISAL

5.1 The application has been to a planning committee meeting as part of the proposal is contrary to Policy GB1 of the Core Strategy.

5.2 Key Issues

- Principle of Development
 - Re-use of the existing building
 - Change of use of land
 - New structures
 - Rural development
- Very Special Circumstances
- Design and impact on landscape
- Impact on neighbouring amenity
- Flood Risk
- Access/parking

5.3 Principle of Development

5.3.1 The site is located within the Green Belt. Policy GB1 of the adopted Core Strategy advises that development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted.

- **Re-use of the existing building**

5.3.2 Paragraph 146 of the NPPF sets out forms of development that are not inappropriate in the Green Belt, and this includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

5.3.3 Core Strategy policy EV6 states that proposals must demonstrate that the building is in a condition capable of conversion without demolition and rebuilding or substantial reconstruction; and preference is given for an economic use.

5.3.3 The existing public house is undoubtedly of a permanent and substantial construction, and no exterior alterations or extensions are proposed in the amended scheme. The proposal to re-use the site as part of a hard-landscaping business will create employment opportunities for the local community.

5.3.4 Core Policy 10 and Policy EV9 supports the retention of local community facilities and services. A confidential viability report has been submitted with the application and concludes that the business is commercially unviable under normal trading conditions. Since the coronavirus crisis, and the restrictions in place allowing a pub to re-open, the reduction in dining covers to conform with social distancing advice severely increases the trading loss in every scenario posed within the viability report. In recent years, two pub company owners have disposed of the site, indicating that the pub was not generating sufficient income to warrant retaining the site in the tenanted estates. There was also a trail of tenants in recent years who failed to build the business into a commercially viable unit with the pub being sold three times in three years. The most recent being an Indian restaurant which commenced trading in October 2018 and closed on the 5th of January 2020.

5.3.5 The Hollybush Inn closed in January 2020 prior to the coronavirus crisis, and as mentioned, the pub has changed ownership five times since 1999. The site was re-marketed in March 2020 by three specialist pub agents and there was good deal of interest but only towards a residential use. The business appraisal concludes that the marketing campaign was adequate, given the circumstances of the trading history and I have no reason to disagree. The variable performance of the pub in recent years and the current trend for the community in general to be visiting pubs less often, combined with the table covers [Covid requirements] and the pub in being in an isolated position from the small hamlet of Dimmingsdale, and the existence of other public houses nearby such as The Greyhound, it is not realistic to expect the existing pub to become viable.

5.3.6 There is no conflict with local plan policies GB1, EV6, CP10 and EV9.

- **Change of use of land**

5.3.7 Policy GB1 provides that the carrying out of engineering or other operations or the making of a material change of use of land is acceptable, where the works or use proposed would have no material effect on the openness of the Green Belt or the fulfilment of its purposes.

5.3.8 The paving and stone storage area, whilst positioned historically on the beer garden, where there has been a play area and buildings in the past, the change from a predominately soft landscape to a hard landscape over 4200sqm would in my view have a material harm on the openness of the Green Belt than the previous situation. Again, whilst the customer sales area will directly lead off the existing car park area, and has been

subsequent to frequent fly tipping, the change from undeveloped land to a customer sales area will result in a material change in the use of the land.

5.3.9 As such this part of the proposed development would represent inappropriate development in the Green Belt harmful by definition and contrary to policy and should not be approved except in very special circumstances, as noted in paragraph 143 of the National Planning Policy Framework.

- **New Structures**

5.3.10 The erection of the security fencing, machine store and aggregate bay for the landscaping business does not fall under any of the exceptions listed under Paragraph 145 of the NPPF or local plan policy GB1 and therefore would represent inappropriate development in the Green Belt.

5.3.11 As such this part of the proposed development would represent inappropriate development in the Green Belt harmful by definition and contrary to policy and should not be approved except in very special circumstances, as noted in paragraph 143 of the National Planning Policy Framework.

- **Rural development**

5.3.12 Core Policy 9 (Rural Diversification) and Policy EV8 (agriculture) supports appropriate diversification of the agricultural economy. CP9 provides that the Council will support the sustainable re-use of rural buildings for appropriate uses which support the rural economy and communities.

5.3.13 Policy EV5 [Rural Employment] identifies the circumstances in which proposals for employment development outside of development boundaries will be supported. On this occasion the application generally complies with the criteria which are noted below.

- a) It is small-scale;
- b) It comprises the conversion and reuse of appropriately located and suitable constructed existing rural buildings;
- c) the development is not capable of being located within the development boundaries of a village, by reason of the nature of the operation or the absence of suitable sites;
- d) it is supported by an appropriate business case which demonstrates that the proposal will support the local economy which in turn would help sustain rural communities. The Council will adopt the approach set out in Core Policy 7 for the redevelopment, modernisation and expansion of businesses;
- e) the development would not adversely impact on the economy of the service villages;
- f) the development is accessible by a choice of means of transport including walking, cycling and public transport;
- g) the local highway network is capable of accommodating the traffic generated by the proposed development.

5.3.14 The above proposal to re-use the site for a hard-landscaping business is in accordance with Policy EV5 and a business appraisal has been submitted.

5.4 Very Special Circumstances

5.4.1 As noted above there is a policy conflict with the change in the use of the land and also the erection of the machine store and aggregate bays.

5.4.2 Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure substantial weight is given to any harm in the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.4.3 The applicant has submitted material considerations which are noted below:

- Previously developed site with former area of commercial use (pub, parking and beer garden) reduced by over 50%. The original site area used by the pub including the beer garden and customer parking, extended to almost 17000m². The current proposed area for commercial use extends to 8000m² with the remainder being used for increasing bio-diversity.
- Less traffic to and from site as compared with current pub use.
- Site not commercially viable for pub or restaurant.
- Existing building re-used for offices and sales centre and general customer information.
- Major increase in biodiversity due to creation of wildlife area for more than half the site, and re-instatement of more than 100m of hedgerow and substantial tree planting.
- Commercial use consisting of open yard for hard landscaping materials and demonstration area, will all be low level and will not be visible from the surrounding countryside.
- Current location of business will be made safer as there will no longer be mixture of garden centre visitors and hard landscaping visitors. There will be no mixing of delivery lorries with public visitors as is the case currently.
- Job creation for local area as due to the growth of the business, the current site location is no longer suitable, and business will have to relocate.
- New equipment store, which is a former agricultural building, will be screened from view by existing conifers.
- Commercial use of the site will help in avoiding fly-tipping on the site which had been taking place since the pub ceased to operate.
- Addition of hedging to front of site will make site less visible from the public realm.

5.4.4 Core Policy 9 [Rural Diversification] provides that The Council will support the social and economic needs of rural communities in South Staffordshire. Development should be designed to be sustainable; seek to enhance the environment; and should provide any necessary mitigating or compensatory measures to address harmful impacts. CP9 provides that the Council will support the sustainable re-use of rural buildings for appropriate uses which support the rural economy and communities.

5.4.5 Core Policy 7 [Employment and Economic Benefit] provides that The Council, working in partnership with businesses and local communities will support measures to sustain and develop the local economy of South Staffordshire and encourage opportunities for inward investment and further economic development of the District.

5.4.6 The proposal would make an efficient use of an existing commercial building and associated land for an economic purpose in accordance with Core Policy 9. Whilst there would be a difference in the appearance to the rear of the site from that of a beer garden, with the incorporation of a customer sales area and outside storage of paving and slabs, the materials stored would be of a low height. This with the existing boundary treatment and the proposed additional planting along the frontage and eastern boundary would screen the proposal from outside view and reduce the visual impact of the proposal on the wider landscape. The machine store is also of a low height [4m] and designed to reflect an agricultural building which are acceptable within rural landscapes. The proposal is also compliant with Policy EV5 for rural development outside of the development boundary.

5.4.7 I consider the proposal would have a limited impact on the visual amenity of the green belt. The proposal would make use of an existing commercial premise and land for another economic use, which would bring about associated local economy benefits and environmental benefits because of the wildlife area and green corridor. It is finely balanced; however, I consider that the material considerations put forward, clearly outweighs the potential harm to the Green Belt in this instance by reason of inappropriateness.

5.5 Design and Impact on landscape

5.5.1 Core Policy 2 and Development policies EQ4 and EQ12 of the Core Strategy all seek to protect, conserve and enhance the District's natural assets. CP2 goes on to state that particular support will be given to initiatives to improve the natural environment where it is poor and increase the overall biodiversity of the District. This is echoed in part 15 of the NPPF. Throughout the District, the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings and should not have a detrimental effect on the immediate environment and on any medium and long-distance views.

5.5.2 The proposal would make use of an existing building and car parking area, and the new customer display and storage areas would be of a low height. A new security fence and gates would be installed on the frontage part of the site. The security fence on the front boundary would be set back approx. 5.6m from the road and would sit predominately behind the existing hedgerow and the new planting. Subject to an appropriate design and height of the security fencing [to be secured by condition] I do not consider that the proposal would cause a detrimental harm to the amenity of the area.

5.5.3 There is already significant planting on the boundaries of the site and the gaps particularly along the eastern boundary will be filled with a new native hedgerow. Given the low height and appearance of the new building to be erected and the position of the storage areas it is not considered that the proposal would have any harmful effect on any medium or long-distance views. Conditions will be attached requiring full details of the species to be planted along with further details for the wildlife area.

5.5.4 There have been no concerns raised to the proposal by the Councils Arboricultural or Ecology Officer subject to appropriate conditions being imposed to protect the existing trees and wildlife.

The proposal is compliant with policies EQ1 and EQ4 of the Core Strategy.

5.6 Impact on Residential Amenity

5.6.1 Policy EQ9 of the Local Plan protects the amenity of existing and future occupants.

5.6.2 The application site is in a relatively isolated location, with no neighbouring properties in proximity. It is therefore not considered that the re-use of the public house for an alternative commercial use raises any concern. The proposal is compliant with Policy EQ9.

5.7 Flood Risk Assessment

5.7.1 An updated flood risk assessment has been submitted addressing the queries raised by the Flood Risk Team. The existing private Sewage Treatment Plant and drainage field is to be replaced with a new appropriately sized system. SUDS will be utilised for the disposal of surface water. The comments from the Flood Team to the revised flood risk report and any conditions required will be added to the committee late list.

5.8 Access/parking

5.8.1 Access, parking and turning areas for the proposal have been provided to the satisfaction of the Highways Department. A transport statement has been submitted and it is not considered that the proposed use would generate any additional travel movements beyond the approved use as a public house. There are no concerns with policy EV12.

6. CONCLUSIONS

6.1 The site is within the Green Belt, where there is a presumption against inappropriate development. Whilst I have found that part of the proposal would be inappropriate, there would be limited harm caused on the visual amenity of the Green Belt, given it is a previously developed site and the existing and proposed planting. The proposal would support and enhance an existing rural business and in turn support the rural economy and bring about social and environmental benefits. It is finely balanced; however, I consider that the material considerations put forward, clearly outweighs the potential harm to the Green Belt in this instance by reason of inappropriateness.

6.2 There are no landscape, highways or neighbour concerns and I therefore recommend the application for approval.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: 9726/PL05 Rev C, received 5th of February 2021
3. Within 3 month of any development commencing on the site a landscape scheme shall be submitted to the Local Planning Authority for approval, this shall include details for the wildlife area. The approved landscape scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. A timetable for the phased completion of the wildlife area shall be submitted for approval. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within

the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority. The planting shall be retained and maintained for a minimum period of 10 years by the property owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).

4. No existing trees, shrubs or hedges on the site or its boundaries shall be pruned in any way or cut down for a period of 10 years following completion of the development without the prior consent of the Local Planning Authority. If any the existing planting is removed or dies within 5 years of completion of the development it shall be replaced with the same species (or alternative agreed with the Council) within 12 months of its removal and as close to the original position as possible (or elsewhere in a position agreed with the Council). The existing and any replacement planting shall be maintained for a period of 10 years respectively from completion of the development or time of planting to the satisfaction of the Local Planning Authority.
5. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS 5837:2012 (trees in relation to design, demolition and construction - recommendations) in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
6. Before development commences all construction work, drainage runs and other excavations within the protective fencing/root protection areas of the trees shown to be retained on the approved plan shall be agreed by the Local Planning Authority. All work shall be carried out in accordance with BS 5837:2012 (trees in relation to design, demolition and construction - recommendations).
7. The destruction by burning of any materials during the construction period shall not take place within 6 metres of the canopy spread of any trees or hedges shown to be retained on the approved plans.
8. There shall be no storage of construction materials or equipment or oil tanks within the protective fencing/root protection areas of the trees or hedges shown to be retained on the approved plans.
9. The development hereby permitted shall not be brought into use until the existing access to the site within the limits of the public highway has been reconstructed and completed.
10. The development hereby permitted shall not be brought into use until the parking, servicing and turning areas have been provided in accordance with the approved plans.
11. Immediately prior to works starting any low-growing plants should be searched by hand. Any piles of wood, brash and rubble within the working area must be dismantled by hand. Where it is not essential to remove potential hedgehog refuges in order to undertake the works, these must be left undisturbed. If a hedgehog is found, it should be carefully placed into cover (e.g. under shrubs etc that will not be cleared and away from roads, and advice sought from a suitably qualified ecologist).

All trenches and excavations should be provided with a means of escape (plank etc) if left overnight and pipework must be blanked off to prevent animals entering.

12. Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season (1st March to end August.) If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present, then the vegetation or buildings shall not be removed until the fledglings have left the nest.
13. An external lighting scheme should be installed, designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK and submitted for approval prior to installation, including a lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as hedges, trees and landscape planting
14. The premises shall be used for a landscaping business and for no other purposes (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 [as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the building(s), the subject of this approval, without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 2, Class A - gates, fences, walls etc
 - b. Schedule 2, Part 7, Class A - extensions etc of shops or financial or professional premises
 - c. Schedule 2, Part 7, Class E - hardsurfacing
 - d. Schedule 2, Part 20, Class AA - new dwellinghouses on detached buildings in commercial or mixed use
16. Within 1 month of the development commencing on site, details of the security fencing and gates to be installed shall be submitted to the Local Planning Authority for approval and retained as such for the lifetime of the development. The gates and fencing shall not have a height higher than 2m.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.

4. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
5. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
6. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
7. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
8. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
9. In the interest of highway safety
10. In the interest of highway safety.
11. To comply with Policy EQ1
12. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
13. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
14. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
15. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
16. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.

Informative

1. County Highways

The reconstruction of the existing vehicular access shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application Form. Please complete and send to the address indicated on the application Form or email to (road.adoptions@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

2. Signs

This permission does not grant or imply consent for any advertisements, signs or fascia development.

3. Fire Service

FIRE MAINS, HYDRANTS AND VEHICLE ACCESS

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section 15 and 16. I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg.)

AUTOMATIC WATER SUPPRESSION SYSTEMS (SPRINKLERS)

I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers.

Staffordshire Fire and Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:

- Protect life, in the home, in business or in your care.
- Protect property, heritage, environment and our climate;
- Help promote and sustain business continuity; and
- Permit design freedoms and encourage innovative, inclusive and sustainable architecture.
- Increase fire fighter safety
- The use of AWSS can add significant protection to the structural protection of buildings from damage by fire.

Without this provision, the Fire and Rescue Service may have some difficulty in preventing a complete loss of the building and its contents, should a fire develop beyond the stage where it cannot be dealt with by employees using first aid fire fighting equipment such as a portable fire extinguisher.

SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing financial implications for all stakeholders.

4. Police

1. Development Design Concerns and Issues.

It is important that a high level of physical security is incorporated in the construction of this proposal, and that it conforms to the minimum standard of security outlined within these recommendations.

The Secured by Design Website (www.securedbydesign.com) provides all necessary information regarding police and home office recognised standards and licensed component manufacturers.

1.1 Boundaries.

I support the intention to provide a secure fence and hedging to the front boundary.

I recommend that the proposed boundary is paladin fencing to the minimum height of 2m, installed and manufactured to LPS 1175 Security Rating 1 or Sold Secure Gold standard. This fencing must be installed by the manufacturer or to the exact installation specifications provided by the manufacturer. BS 1722 offers installation advice.

Gates.

All gates installed within a secure fencing system as described above must be certificated to the same standard as the adjoining fencing and be of the same height and similar style. It should not be possible to lift the gate from its hinges, and the hinges and lock cylinder should be protected in such a way as to prevent their use as climbing aids.

Secured By Design. Commercial.

Perimeter And External Areas.

Specification for timber or steel security fencing for normal crime risks.

Section 43.12 Entrance gates should be inward opening, of substantial framed construction and employ galvanized adjustable hinges and fixings mounted behind the attack face. Gates should be fitted with galvanized drop bolts and a facility for padlocking (manual gates) or electro-mechanical locking (automated gates) and employ mechanical/electromechanical devices as applicable to hold gate leaves in the open position. The gate design and fixing features should match that of the fence).

Care should also be taken in the design to ensure that cross sections do not inadvertently aid climbing. It should not be possible to pass under the gate when in the closed position.

1.2 Lighting (Recommended minimum guidance.)

The proposed lighting layout should be aimed at removing opportunities for criminals to act unobserved during the hours of darkness. The entire site should be illuminated, with higher lighting levels provided for vulnerable areas (Equipment Store and Hard Landscaping Display). This is of greater importance during the winter months and where lighting is intended to support CCTV.

- o Lighting columns are preferred for all open areas. Where this is not possible a series of vandal resistant, high-pressure sodium lamps, operated by photoelectric sensors are recommended, and should be mounted at the highest inaccessible points.

- o The proposed lighting should be compatible with any CCTV system requirements. (Low-pressure sodium vapour (SOX) is not compatible with quality CCTV systems).

Note: Post or bollard mounted lighting is not recommended as this suffers as a result of poor driving, vandalism and can provide a climbing aid.

1.3 Building Shell (Equipment Store).

Secured By Design. Commercial 2015.

Section 35. Roof design and access and aids to climbing.

Section 35.1 Preventing easy access to roofs should be considered at the design stage of the building. External rainwater pipes can be used for climbing and should be either square or rectangular in section, flush fitted against the wall or contained within a wall cavity or covered recess.

Bends in pipes and horizontal runs should be minimized. They should be of fire resistant material. Physical barriers should be used to prevent access to an existing roof.

Building shell security.

Section 50. Wall construction.

Section 50.1 Due to the remoteness of some industrial and warehouse units and or reduced activity at night and over the weekends on industrial sites some buildings become prone to criminal attack through the wall, bypassing security doors and shutters. The walls should therefore be designed to withstand such attacks and materials resistant to manual attack or damage should be used to ensure the initial provision of security.

Section 50.2 Where lightweight construction is being considered, for example the use of insulated sheet cladding, a reinforced lining such as welded steel mesh can enhance the security of the building fabric.

Note: Lining the first 2m of the proposed cladding with brick or block will help to reduce opportunities for attack.

Section 54. Roof construction.

Section 54.1 Roofs are vulnerable to criminal intrusion and damage through vandalism, therefore careful consideration must be given to their construction.

Section 54.2 Lightweight roofing systems must be certified to a minimum of:

- o LPS 1175: Issue 5 or above, SR 1
- o STS 202: Issue 1 or above, BR1

Section 54.3 The standards above tests the product and its fixings, therefore lightweight roofing systems must be installed utilising the manufacturer's approved fixing system.

Section 54.6 Due regard must be taken to ensure full compliance with the 'duty of care' obligations under Occupiers' Liability Act 1984.

1.4 Landscaping.

Secured By Design Commercial Development 2015.

Section 21. Landscaping.

Section 21.3 Planting should not impede the opportunity for natural surveillance and must avoid the creation of potential hiding places. Although plant growth above 1m and below 2m should be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees, providing surveillance opportunity is maintained. Plant growth below 500mm (Maintained or Mature Growth Height) will be required in respect to car parks to deter vehicle interference.

Section 21.4 The planting of new trees should be considered in tandem with the installation and the operational requirement of any specified CCTV system. Likewise, locate new trees so that they do not reduce directed light from lamps or provide climbing aids over boundaries or onto buildings.

1.5 Doors (Recommended minimum guidance for doors in commercial buildings).

External doors.

Secured By Design Commercial Development 2015.
Section 56. External doorset apertures.

Section 56.1 It is important that the doorset aperture is protected. Due to the nature of some commercial building uses and locations there is an expectation that the security will be required to meet the following minimum standards when the building is unoccupied:

- o PAS 24:2012
- o LPS 1175: Issue 7, SR2
- o STS 201 or STS 202: Issue 3, BR2

Note: Outward opening doors should include additional security such as hinge bolts.
Emergency escape doors should have no external furniture.

Note: Additional security may be gained by utilising additional protection such as a certified roller shutter or grille, or through the use of a doorset certified to higher security standards.

1.6 Windows (Recommended minimum guidance for glazing in commercial buildings).

Secured By Design Commercial Development 2015.
Section 62. Protection of window apertures.

Section 62.1 It is important that the window aperture is protected. Due to the nature of some commercial building uses and locations there is an expectation that the security will need to exceed the following standards when the building is unoccupied:

Certification to:

- o PAS 24:2012 or
- o STS 204 Issue 3: 2012, or
- o LPS 1175 Issue 7:2010 Security Rating 1 or
- o LPS 2081 Issue 1:2014 Security Rating A

Note: Additional security may be gained by utilising additional protection such as a certified roller shutter or grille, or through the use of a doorset certified to higher security standards.

Security Glazing.

Section 60 Security glazing.

Section 60.1 All ground floor and easily accessible glazing must incorporate one pane of laminated glass to a minimum thickness of 6.4mm (See Glossary of terms) or glass successfully tested to BS EN 356:2000 (Glass in building. Security glazing - resistance to manual attack) to category P1A unless it is protected by a roller shutter or grille as described below.

1.7 Roller Shutters and Grilles. (Recommended Minimum Guidance).

The minimum recommended standard for any proposed roller shutters is certification to

- o LPS 1175: Issue 7 Security Rating 1+ or
- o WCL 2 Burglary Rating 1.

1.8 Alarm System and CCTV (recommendations).

The design of Alarm systems should be considered alongside any CCTV (where this is to be installed) and monitoring from a dedicated monitoring company. As a minimum, I recommend that the Equipment Store is protected by a Monitored Alarm System. CCTV should be aimed at providing views over entrances, externally stored Machinery, Hard Landscaping Materials, Vehicles and items of greater value.

Secured By Design Commercial Developments 2015.

Section 64 Intruder alarm systems.

Section 64.1 (Security Systems Policy and Police Response)

A suitably designed, fit for purpose, monitored intruder alarm system must be installed. For police response, the system must comply with the requirements of the Security Systems policy, which can be found at www.securedbydesign.com

Section 64.2 (Loss Prevention Certification Board component requirements)

System designers may wish to specify component products certificated to the following standards:

- o LPS 1602 Issue 1.0: 2005 Requirements for LPCB Approval and Listing of Intruder Alarm Movement Detectors
- o LPS 1603 Issue 1.0: 2005 Requirements for LPCB Approval and Listing of Alarm Control Indicating Equipment

Section 49 Closed circuit television (CCTV). (Recommended Minimum Guidance)

Section 49.1 (As part of a Security Plan and Security Management)

CCTV is not a universal solution to security problems. It can help deter vandalism or burglary and assist with the identification of offenders once a crime has been committed, but unless it is monitored continuously and appropriately recorded, CCTV will be of limited value in relation to the personal security of staff and visitors. That being said, the provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan.

Section 49.3

The CCTV system must have a recording capability, using a format that is acceptable to the local police. The recorded images must be of evidential quality if intended for prosecution. Normally this would require a full 'body shot' image of a suspect. It is recommended that fixed cameras are deployed at specific locations for the purpose of obtaining such

identification shots. An operational requirement must take account of this fact and decisions made as to what locations around the building are suitable for obtaining this detail of image. The recording of vehicle licence plates may also be practical and useful.

Section 49.4 (Matters requiring discussion with installer)

Whilst the location of cameras is a site specific matter it would be normal practice to observe the main entrance to the premises and the reception area. Early discussions with an independent expert and potential installers can resolve a number of matters including:

- o monitoring and recording requirements
- o activation in association with the intruder alarm
- o requirements for observation and facial recognition/identification
- o areas to be monitored and field of view
- o activities to be monitored
- o the use of recorded images
- o maintenance of equipment and the management of recording
- o subsequent ongoing training of Operatives

Section 49.5 (Required Minimum Standard for installation)

CCTV systems must be installed to BS EN 50132-7: 2012+A1:2013 CCTV surveillance systems for use in security applications

Section 49.6 (Lighting must support the proposed CCTV system)

The design of a CCTV system should be co-ordinated with the existing or planned lighting system for the buildings and the external grounds, to ensure that the quality of the lighting is sufficient to support the CCTV.

Section 49.8 (Data Protection, Human Rights and Information Commissioners registration)

CCTV systems may have to be registered with the Information Commissioner's Office (ICO) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available at this website: www.ico.gov.uk

Section 49.9 (CCTV Management and Operation Code of Practice and Best Practice in relation to use of data as evidence)

For guidance on the use of CCTV images as legal evidence see also BS 7958: 2009 Closed circuit television (CCTV). Management and operation. Code of practice. This document provides guidance and recommendations for the operation and management of CCTV within a controlled environment where data that may be offered as evidence is received, stored, reviewed or analysed. It assists owners of CCTV systems to follow best practices in gaining reliable information that may be used as evidence.

Section 49.10 (Installation standard for detector operated systems)

Remotely monitored detector activated CCTV systems must be installed in accordance with BS 8418: 2015 Installation and remote monitoring of detector operated CCTV systems - Code of practice

1.9 Change of use of pub premises to private single dwelling.

I support the intention to develop a private dwelling in this location. This will provide valuable legitimate natural surveillance in this location.

If necessary, please contact our department for Crime Reduction advice.

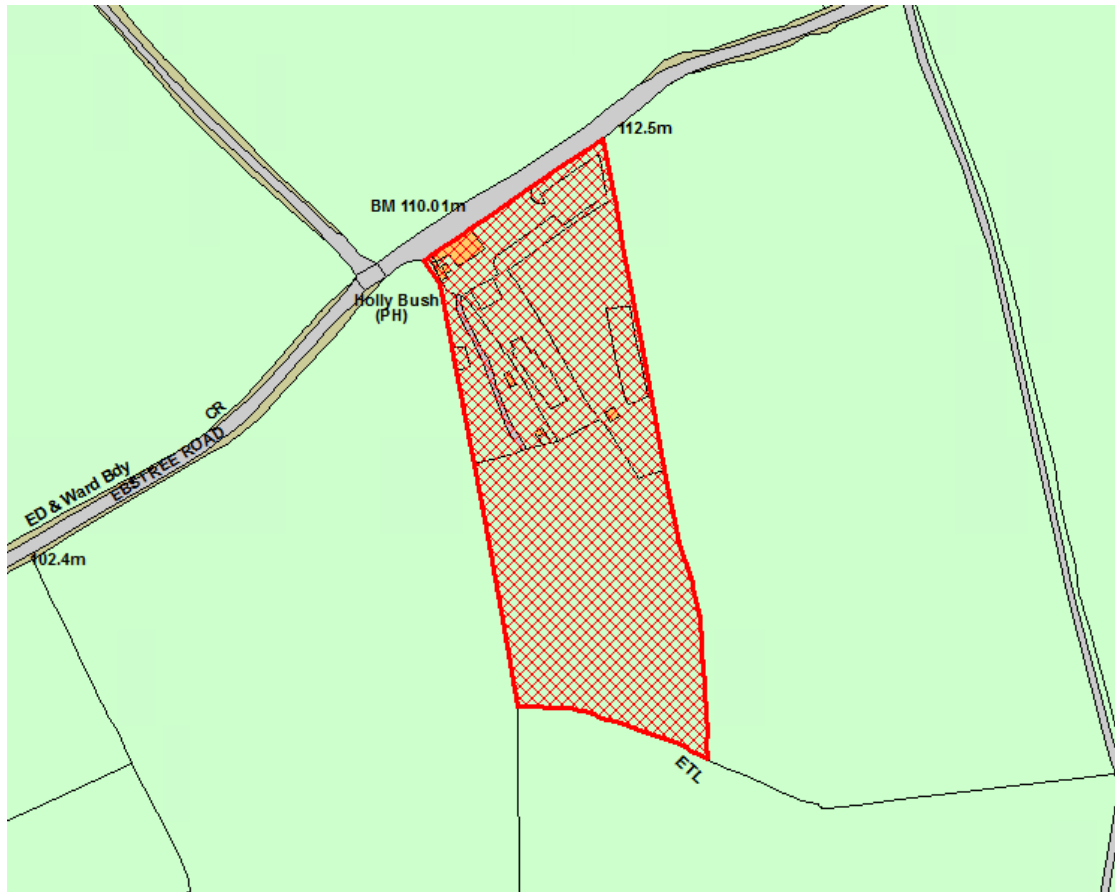
2. Further Information.

Further help and information can be gained from the following web sites:

- o www.securedbydesign.com
(Police preferred specification scheme).
- o www.dataprotection.gov.uk
(Online notification of CCTV schemes and relevant codes of practice).
- o www.bsi-global.com
(Various security standards).
- o www.brecertification.co.uk
(Government test house for the Loss Prevention Certification Board).
- o www.nsi.org.uk and www.ico.gov.uk
(National Security Inspectorate and Information Commissioners Office).

Crime prevention design advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Holly Bush Inn, Ebstree Road, Trysull, WOLVERHAMPTON WV5 7JE