

# Report to Planning Committee

**08 December 2021**

<b>Application Reference</b>	DC/21/65989
<b>Application Received</b>	10 August 2021
<b>Application Description</b>	Proposed demolition of existing Kings Cinema with ground floor retail and basement storage and construction of 15 storey building consisting of ground floor retail units with first floor storage and 77 apartments with basement residential parking and second floor open-air podium garden as residential amenity area.
<b>Application Address</b>	Kings Cinema, Kings Square, West Bromwich
<b>Applicant</b>	Mr A S Aneja
<b>Ward</b>	West Bromwich Central
<b>Contact Officer</b>	William Stevens <a href="mailto:William_stevens@sandwell.gov.uk">William_stevens@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That planning permission is granted subject to a Section 106 agreement in respect of the provision and ongoing maintenance of vegetation of the property.

- (i) Levels
- (ii) Drainage/SUDs
- (iii) Hard and Soft Landscaping
- (iv) External Materials





- (v) Electric Vehicle Charging points,
- (vi) Parking and cycle provision as shown,
- (vii) Refuse collection as shown,
- (viii) Parking management plan,
- (ix) Construction Environmental Management Plan (hours of construction/ dust suppression, wheel cleaning etc),
- (x) Low Nox Boilers,
- (xi) Ground investigation and mitigation measures,
- (xii) Noise Mitigation measures as per the recommendations of the submitted report,
- (xiii) CCTV,
- (xiv) External Lighting,
- (xv) Apprentices.

## 2 Reasons for Recommendations

- 2.1 The proposed development would provide much needed residential accommodation and retail opportunities within the town centre, whilst providing an innovative and a visually pleasing design as well as providing training opportunities during the construction phase.

## 3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.
	A strong and inclusive economy – opportunities for apprenticeships and employment during construction and post completion.

## 4 Context

- 4.1 This application is being reported to your Planning Committee because a Section 106 agreement is required in the respect of the provision and upkeep of the vegetation on the balconies and communal spaces.
- 4.2 To assist members with site context, a link to Google Maps is provided below:



[Kings Cinema Aerial View](#)

[Kings Cinema Street View](#)

## **5 Key Considerations**

- 5.1 The site is allocated for retail and therefore the proposal (with the inclusion of retail space on the ground floor) is policy compliant.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)

Planning gain (obligations, affordable housing etc)

## **6. The Application Site**

- 6.1 The site relates to the former Kings Cinema and nightclub adjacent to the West Bromwich Bus Station and Kings Square. The area is retail in nature.

## **7. Planning History**

- 7.1 The site has been subject to many planning applications, but none are relevant to this application.

## **8. Application Details**

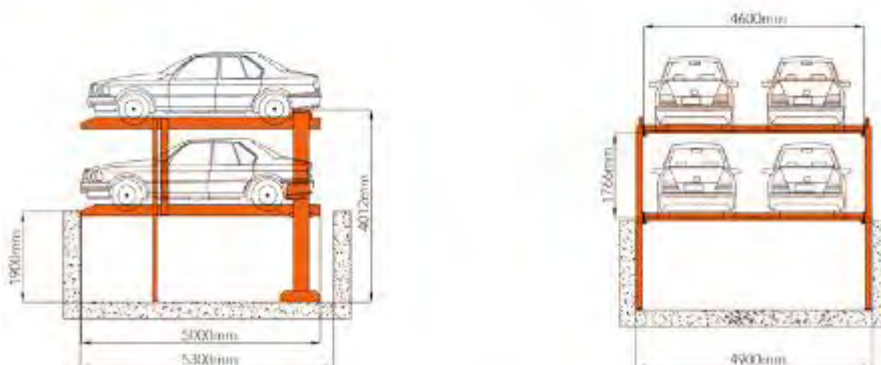
- 8.1 Proposed demolition of existing Kings Cinema with ground floor retail and basement storage and construction of 15 storey building consisting of ground floor retail units with first floor storage and 77 apartments with basement residential parking and second floor open-air podium garden as residential amenity area.



- 8.2 The flats would vary in size and expected occupancy from just under 50sqm to over 90sqm.
- 8.3 The proposed basement parking includes semi vertical bicycle storage for 92 spaces and 45 vehicle parking based on a motor driven and chain balance lift as shown below:



ST 2227



## 9. Publicity

- 9.1 The application has been publicised by neighbour notification letters, site notice and by press notice and no objections have been received.





## 10. Consultee responses

### 10.1 Highways

No objections due to the sustainable location, adjacent to the bus station and metro line as well as providing an innovated parking system to provide parking for 58% of the resident's dwellings. However, a management and maintenance plan is required, to understand how the future maintenance of the shared parking area/parking lift system and management/allocation of spaces for future residents. They have also requested further conditions regarding the provision and retention of off-street parking spaces.

### 10.2 Transportation Planners

No objections subject to electric vehicle charging points and cycle storage.

### 10.3 Planning Policy

No objections as the proposed mixed-use development in this site is acceptable.

### 10.4 Urban Design

No objections however landscaping near the service area would be preferred and details on how the site the maintenance of the proposed landscaping.

### 10.5 Public Health (Air Quality)

Details of electric vehicle charging points has been requested by way of condition. Further conditions have also been recommended, including the implementation of low NOx boilers and a construction management plan, controlling hours of construction and dust.



## 10.6 Public Health (Contaminated Land)

Whilst reports have been provided, a full detailed survey cannot be carried out until the current building has been demolished. Therefore, the standard ground investigation conditions will be attached to any approval.

## 10.7 Public Health (Air Pollution and Noise)

No objections subject to compliance with submitted reports over internal noise mitigation measures as well as communion spaces and private balconies.

## 10.8 Tree Officer

No objections to the proposal, however concerns have been expressed regarding on-going maintenance of the landscaping. Therefore, a formal legal agreement is required to ensure appropriate maintenance.

## 10.9 West Midlands Police

No objections and their comments over CCTV, lighting, as well as other details which have been forwarded to the agent for their consideration.

## 10.10 Severn Trent Water

No objections subject to their standard drainage conditions being attached to any approval.

## 10.11 Lead Local Flood Authority

The Lead Local Flood Authority have requested further information. It is considered that this can be controlled through a pre-commencement condition.



## 10.12 Social Value and Skills

The standard conditions can be attached to enable the development to provide jobs and training in the construction trade and future end uses.

## 10.13 Cadent

Information received from Cadent does not impact on the determining of this application, but the information has been forwarded to the applicant's agent for information.

## 11. National Planning Policy

- 11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

## 12. Local Planning Policy

- 12.1 The following policies of the council's Development Plan are relevant:

CEN1: Importance of Centres for Regeneration

CEN2: Hierarchy of Centres

CEN3: Growth in the Strategic Centres

ENV3: Design Quality

ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island,

ENV7: Renewable Energy

HOU1: Delivering Sustainable Housing Growth

HOU2: Housing Density, Type and Accessibility

H2: Housing Windfalls,

H3: Affordable Housing,

ES09: General Urban Design Principles

EMP2: Training and Recruitment,

TRAN3: Car Parking

SAD CEN1: Non-Retail uses in Town Centres

WBP1 New Retail, Floor Space,

WBP2 Other Town Centre Uses.

WBP4: Design Principles.



- 12.2 As it is not allocated for residential development, the proposal is a 'windfall'-where SAD H2 Housing Windfalls applies. The proposal meets the requirements of this policy as it is previously developed land suitable for residential development and can meet the other requirements of the plan.
- 12.3 There is no policy impediment to the principle of retail and residential on this site as supported by WBAAP A1 Retail allocation (ref no WBPR5), policies WBP1 New Retail Floor Space and WBP2 Other Town Centre Uses. It is in line with BCCS policies CEN1, CEN2, CEN3, and SAD CEN1 Non-Retail Uses in Town Centres.
- 12.4 If built, the residential element would contribute towards the housing target set out in BCCS HOU1 Delivering Sustainable Housing Growth.
- 12.5 SAD HOU3 Delivering Affordable Housing, requires 25% affordable housing, however a viability assessment has been reviewed and demonstrates that the scheme would not be viable with any affordable housing provision.
- 12.6 BCCS HOU2 Housing Density, Type and Accessibility requires a mix of dwelling types and sizes on major developments and seeks to steer high density development to Strategic Centres. The proposal meets the requirements of this policy. It is noted that there is a minimum density quoted under this policy, but no maximum is specified.
- 12.7 The Residential Design Guidance SPD (Revised) lists various standards relating to dwelling size, amenity space standards, and so on under SAD EOS 9 Urban Design Principles, and WBAAP WBP4 Design Principles- The proposal meets these requirements.
- 12.8 TRAN 3 sets out that parking standards can be relaxed in certain circumstances – see point 10.1



- 12.9 SAD EMP2 Training and Recruitment requires major schemes provide training and recruitment opportunities for local people, in the build and end use. The Councils Community Partnerships Officer has advised via the Social Values and Employment Skills Plan.
- 12.10 BCCS Policy ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island aims to reduce surface water run off rates, control summer overheating, and increase tree cover. However, due to the constrained nature of this proposal, its application, in this case, would be prohibitive.
- 12.11 An energy statement has been provided demonstrating how the solar array of 286 m<sup>2</sup> meets BCCS ENV7 Renewable Energy.
- 12.12 The Air Quality SPD requires provision for electric vehicle (EV) charging on allocated/unallocated new car parking spaces. Public Health can assist any other requirements under the SPD, i.e. low NO<sub>x</sub> gas boilers.
- 12.13 The proposal is liable for Community Infrastructure Levy (CIL) on the new retail & residential floor space.

### **13. Material Considerations**

- 13.1 National and local planning policy considerations have been referred to above in sections 11 and 12. With regards to the other material considerations, these are highlighted below:
- 13.2 Planning gain (obligations, affordable housing etc)

A viability assessment demonstrates that the scheme is unviable with any affordable housing provided on site.



## 14 Alternative Options

- 14.1 Refusal of the application is an option if there are material planning reasons for doing so however the proposal complies with national and local policy.

## 15 Implications

<b>Resources:</b>	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the Council.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None
<b>Social Value</b>	Refer to the summary of the report (2.1). A condition will be attached relating to jobs and apprenticeships.

## 16. Appendices

Site Plan

Context Plan

TW/954/700

TW/954/701

TW/954/702

TW/954/703

TW/954/704

TW/954/705

TW/954/706

PSM SD EG 005

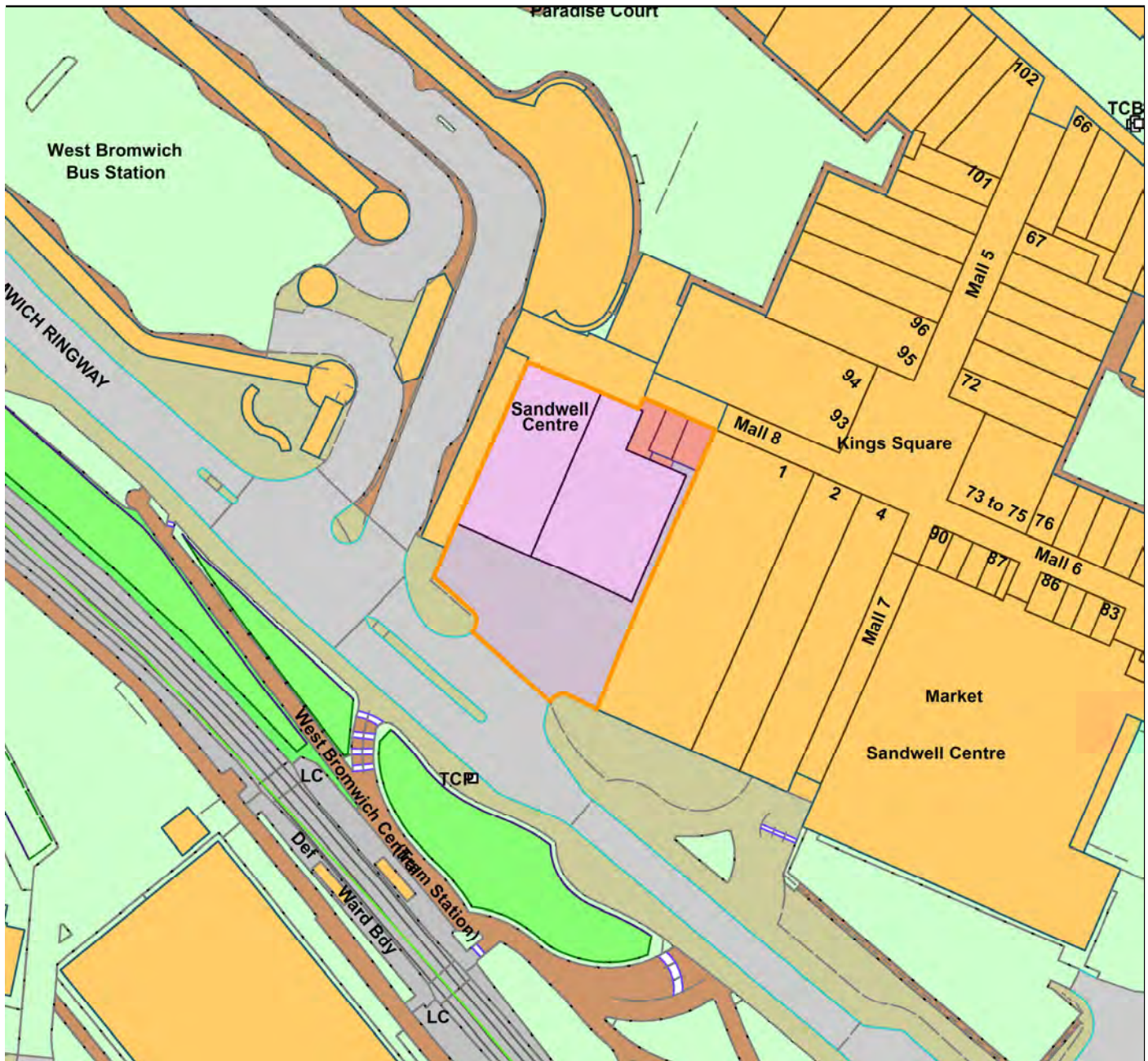






DC/21/65989

Kings Cinema, Kings Square, West Bromwich



**Legend**

Scale 1:1114



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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	23 November 2021
OS Licence No	









EXISTING GROUND FLOOR PLAN



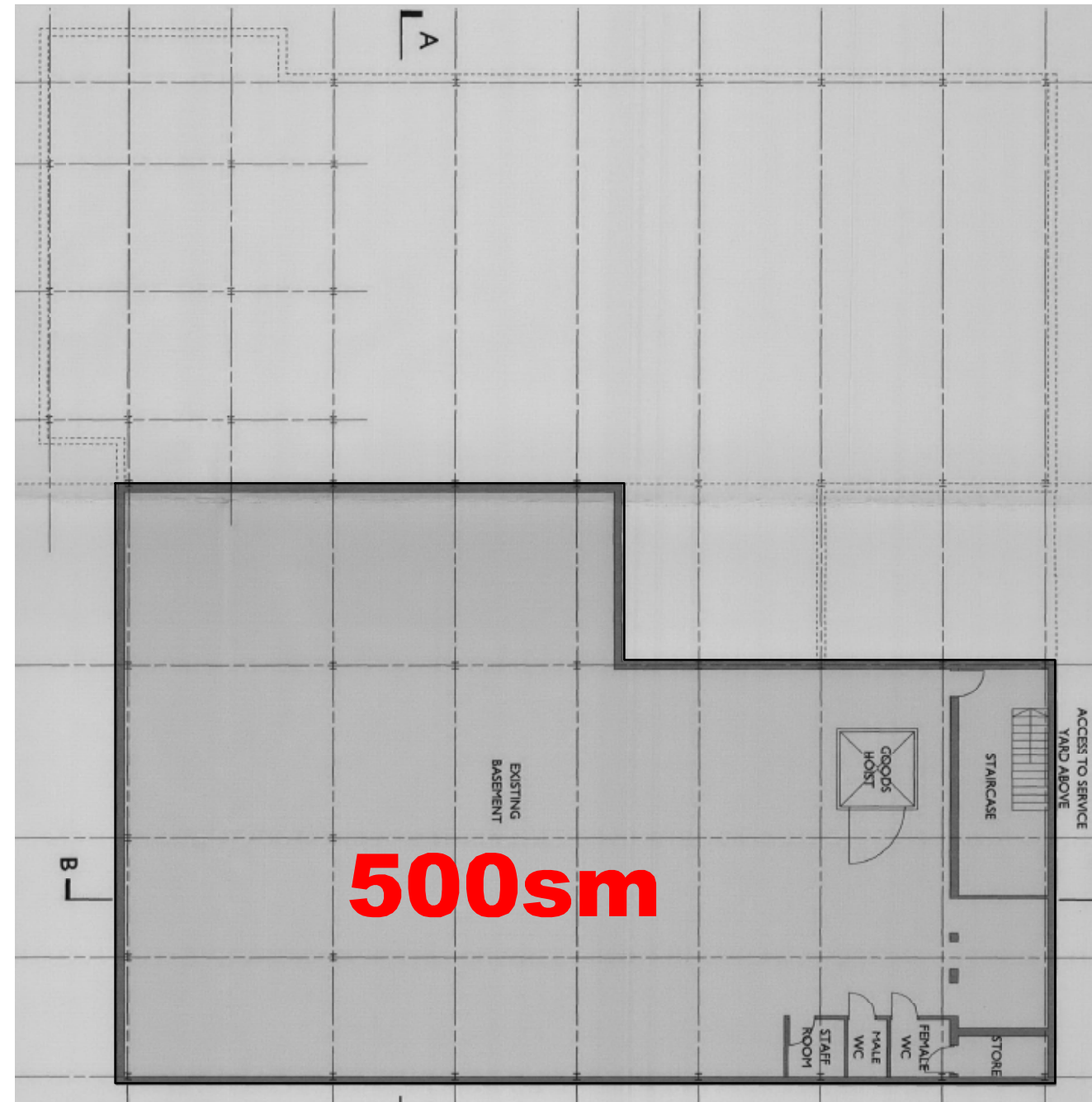
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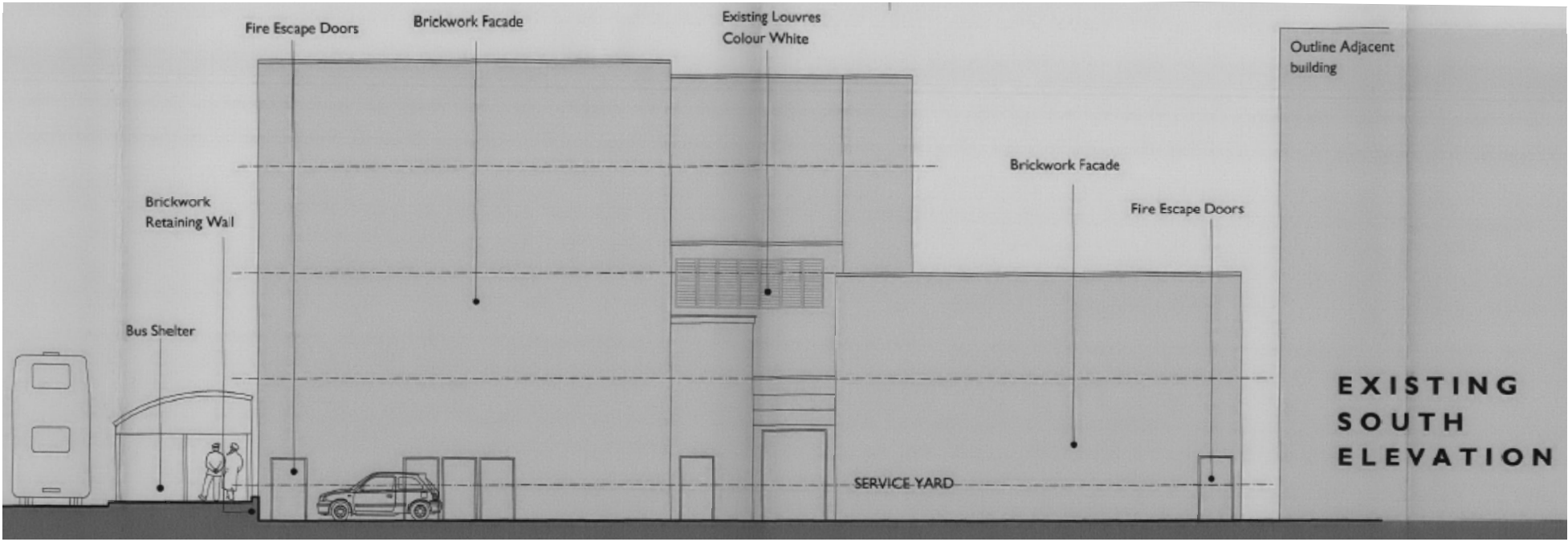
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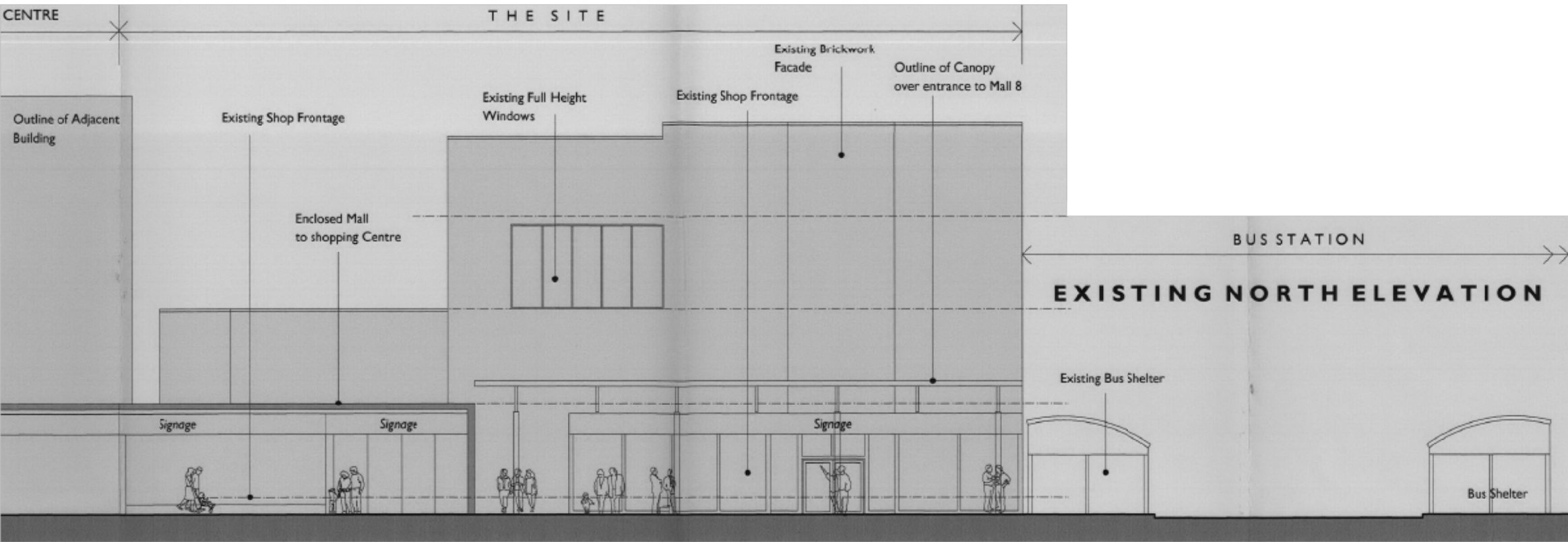
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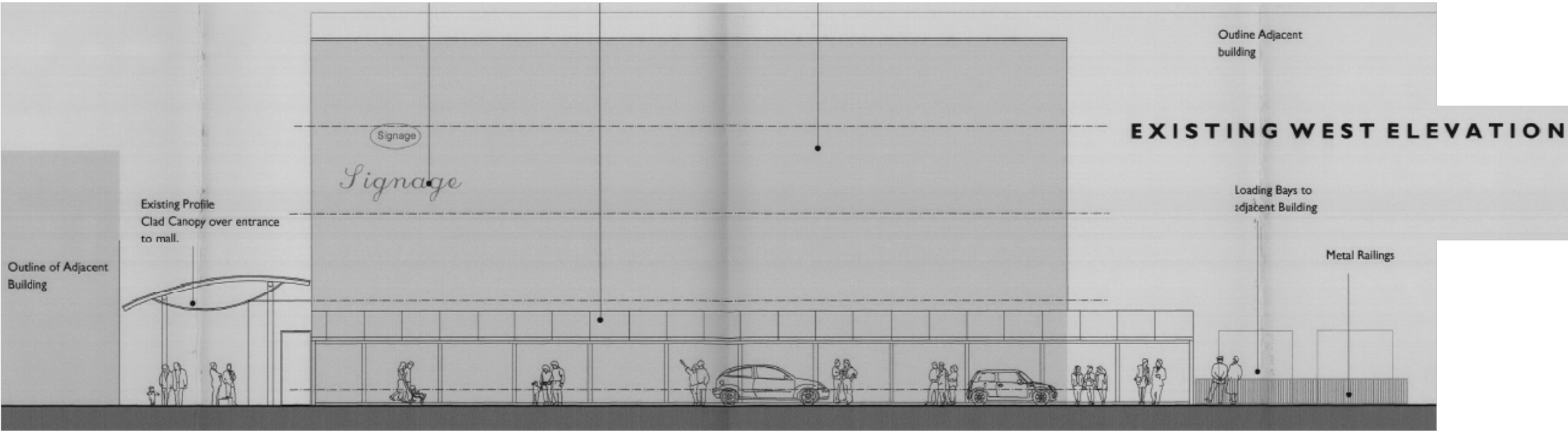
EXISTING BASEMENT PLAN 1:200



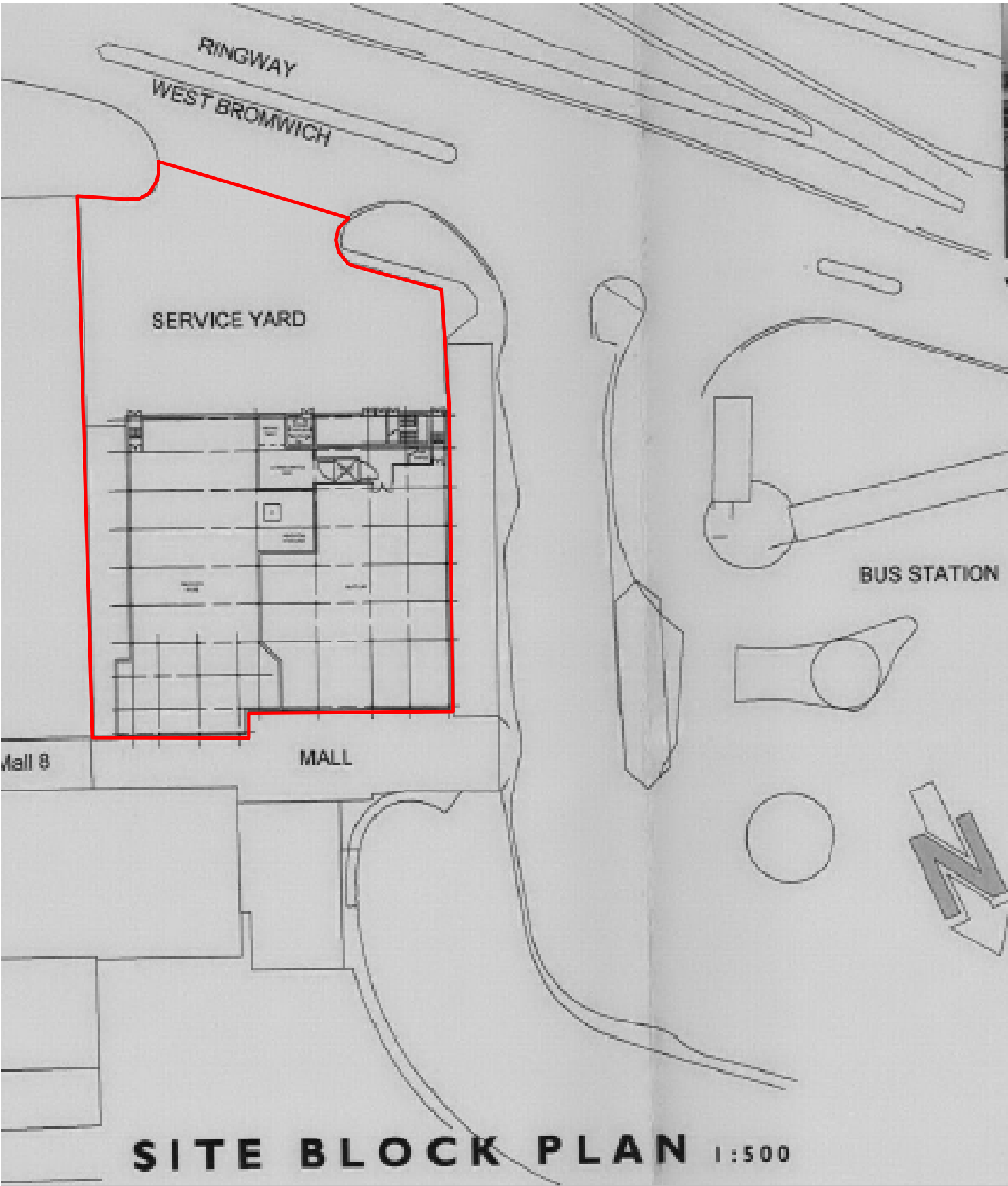
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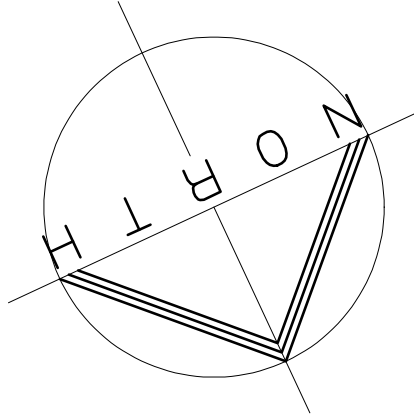
EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION



SITE BLOCK PLAN 1:500



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**Project**  
Proposed mixed Residential & Retail Development

**Location**  
Kings Cinema  
Kings Square Sandwell Centre  
West Bromwich B70 7NW

**Client**

**Scale**  
1:200 @ A1

**Drawing No.** TW/954/700 **Date** 5 Aug 2021 **Checked**

# Existing Floor Plans & Elevations 1:200



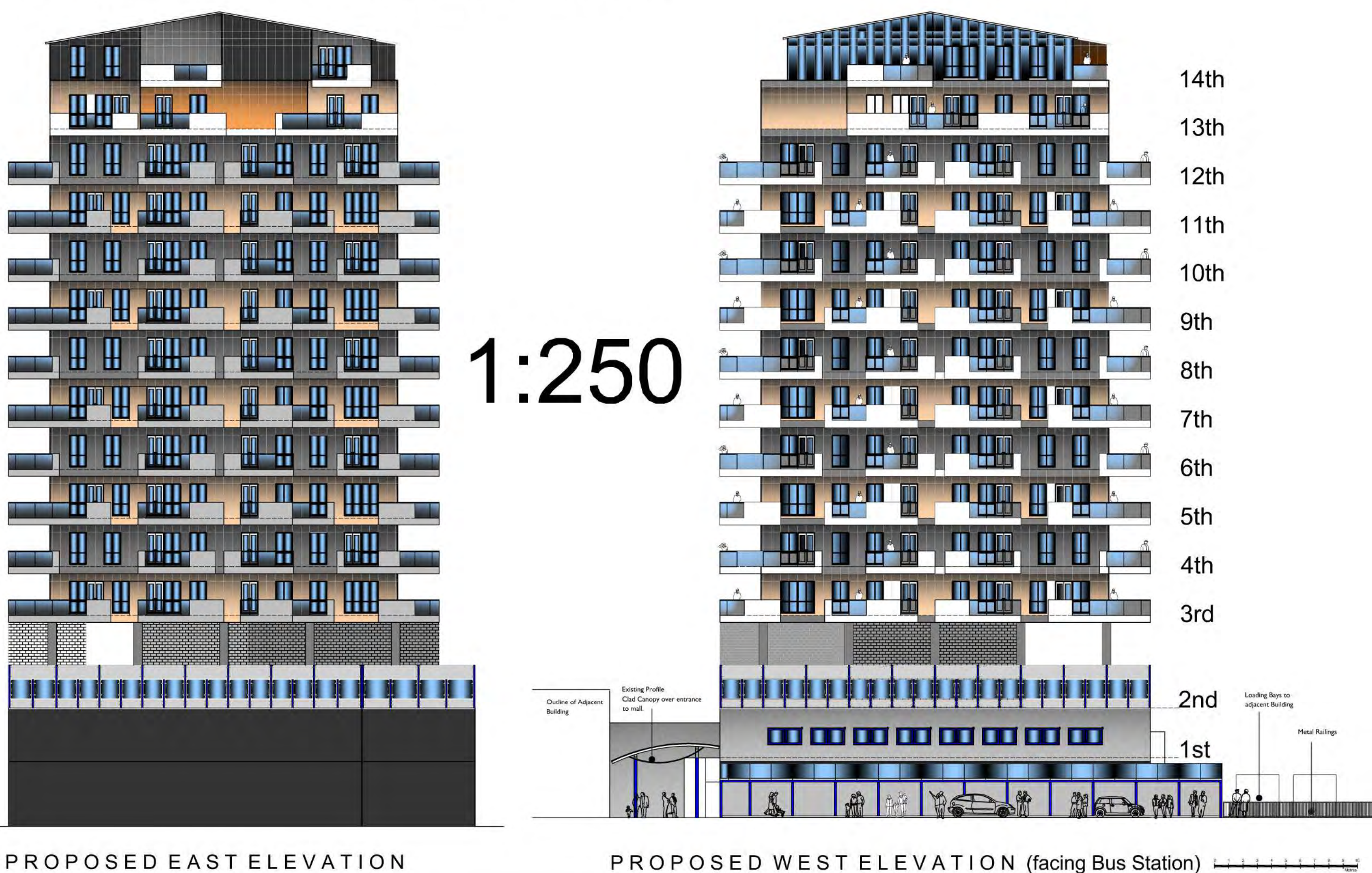
Not to Scale



Proposed North Elevation

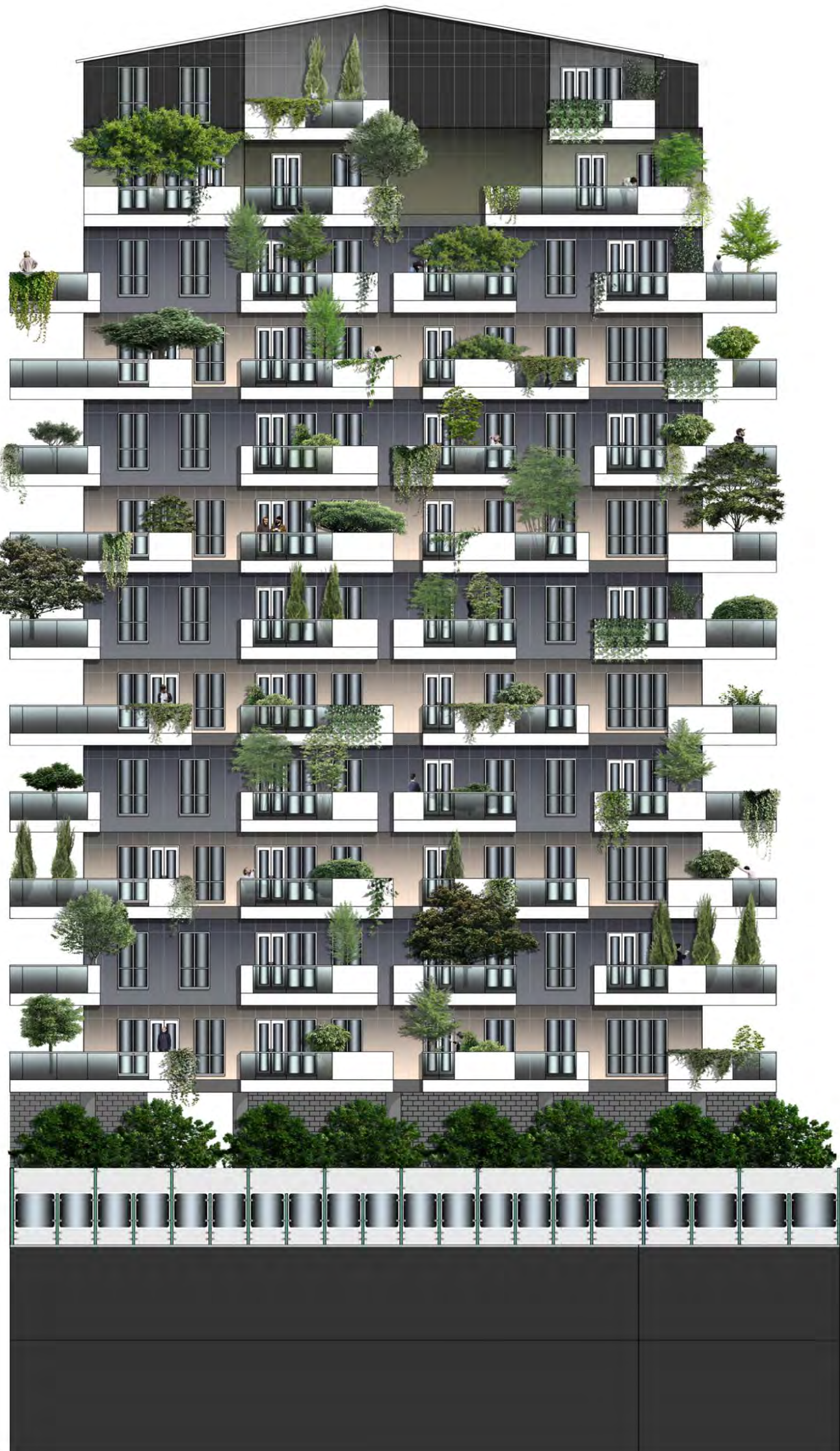


Proposed South Elevation



1:250

14th  
13th  
12th  
11th  
10th  
9th  
8th  
7th  
6th  
5th  
4th  
3rd  
2nd  
1st



Proposed East Elevation



Proposed West Elevation

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**Client**

**Scale**  
1:250 @ A0

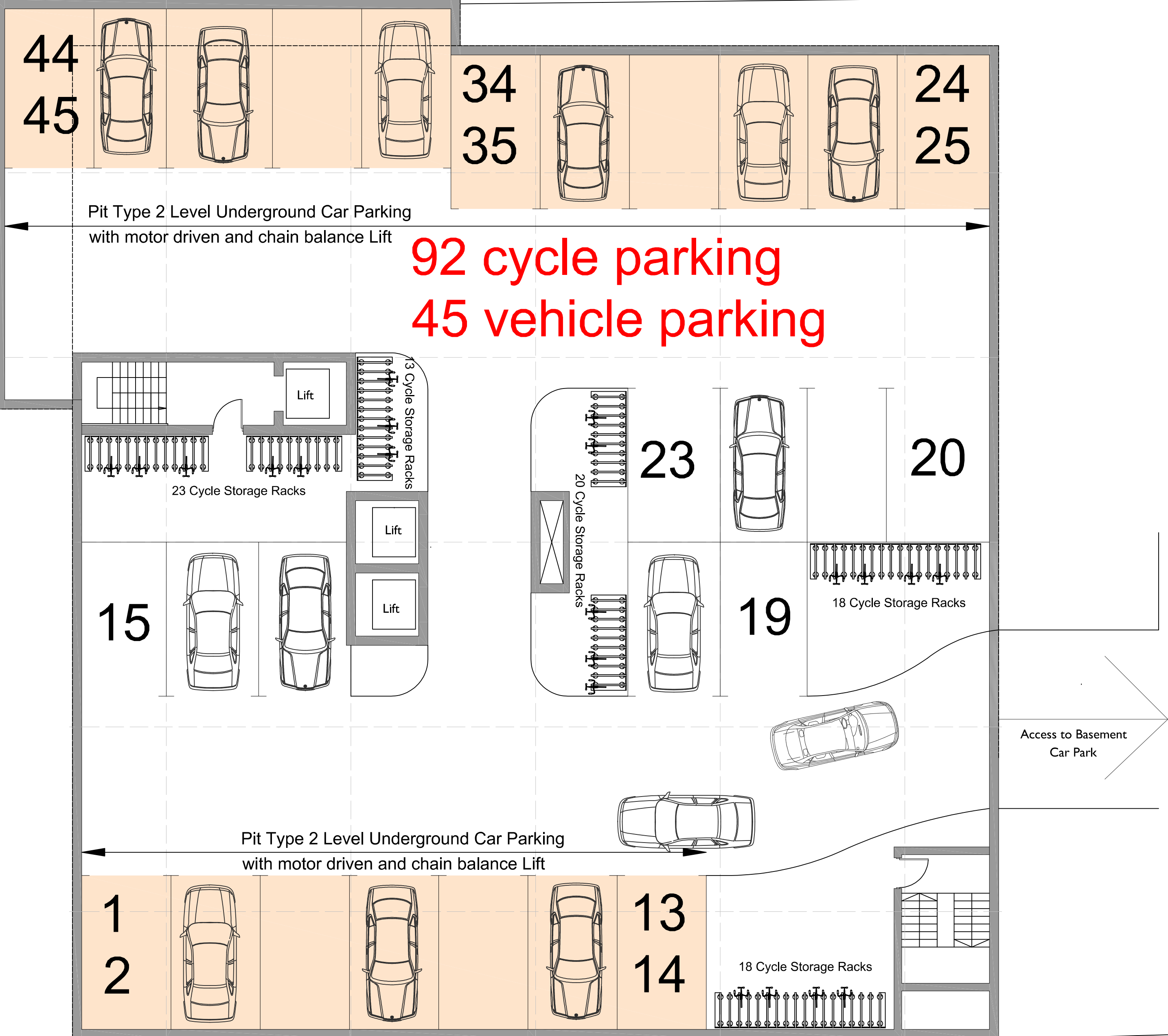
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TW/954/705

**Date**  
18 Aug 2021

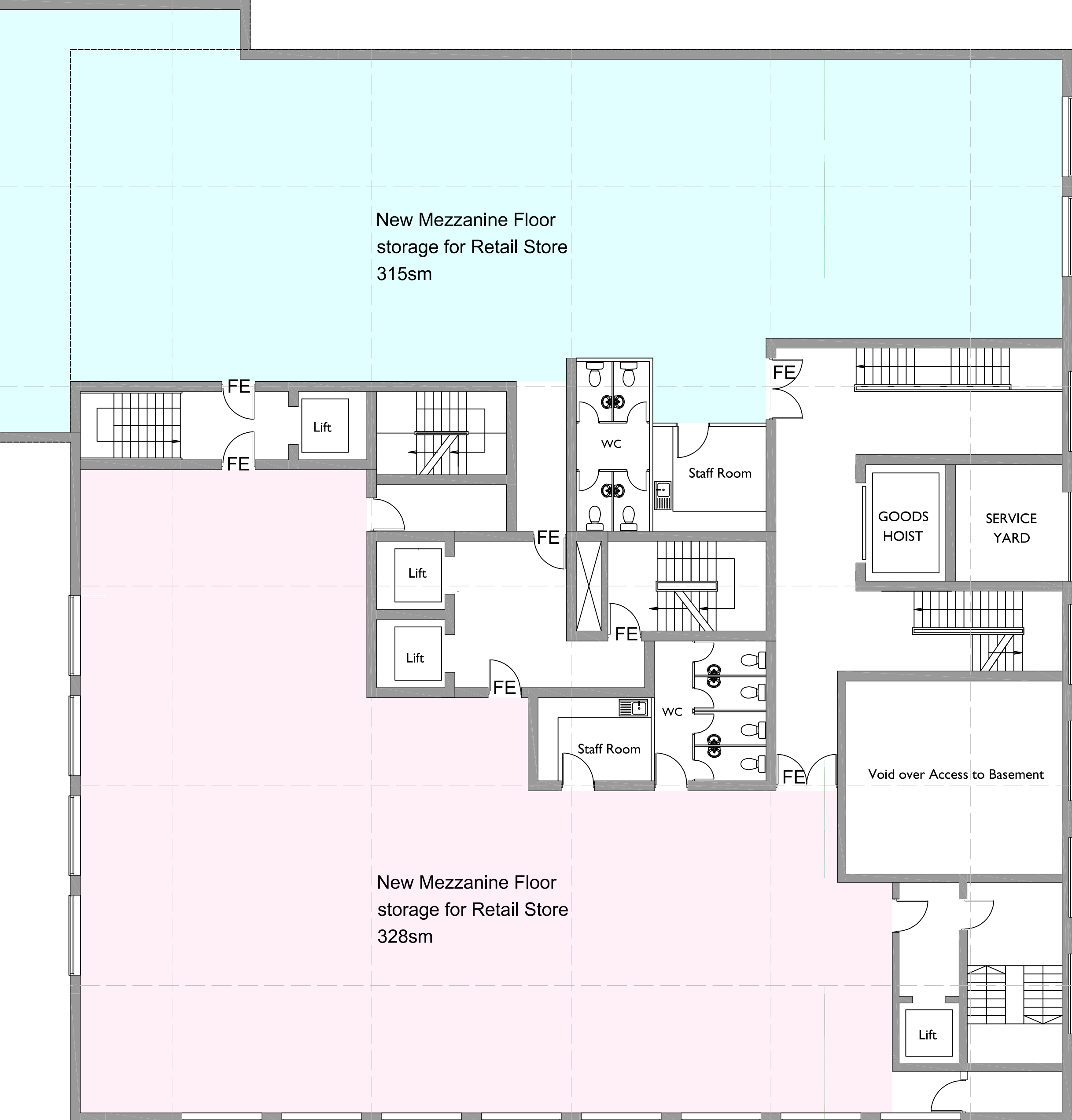
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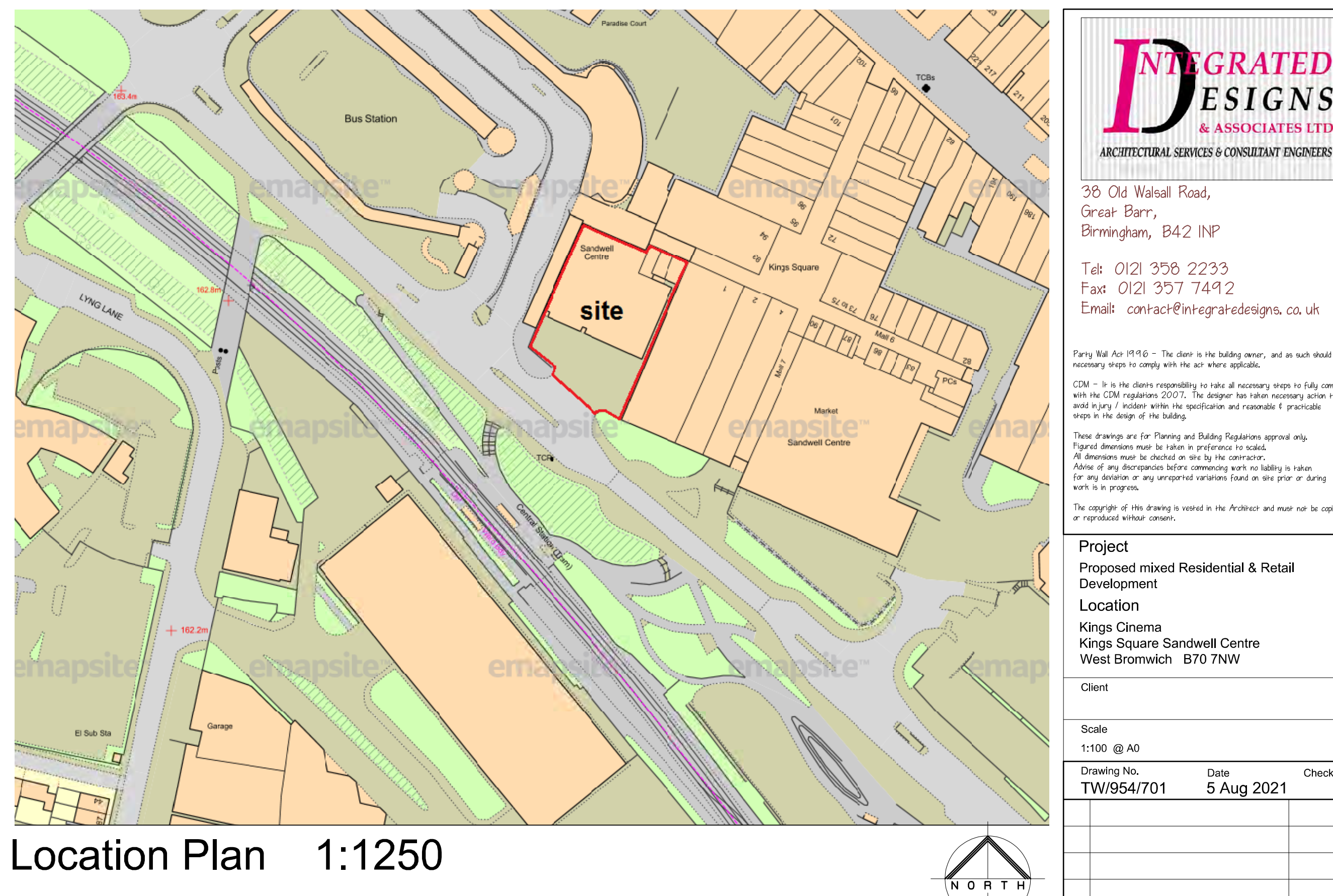
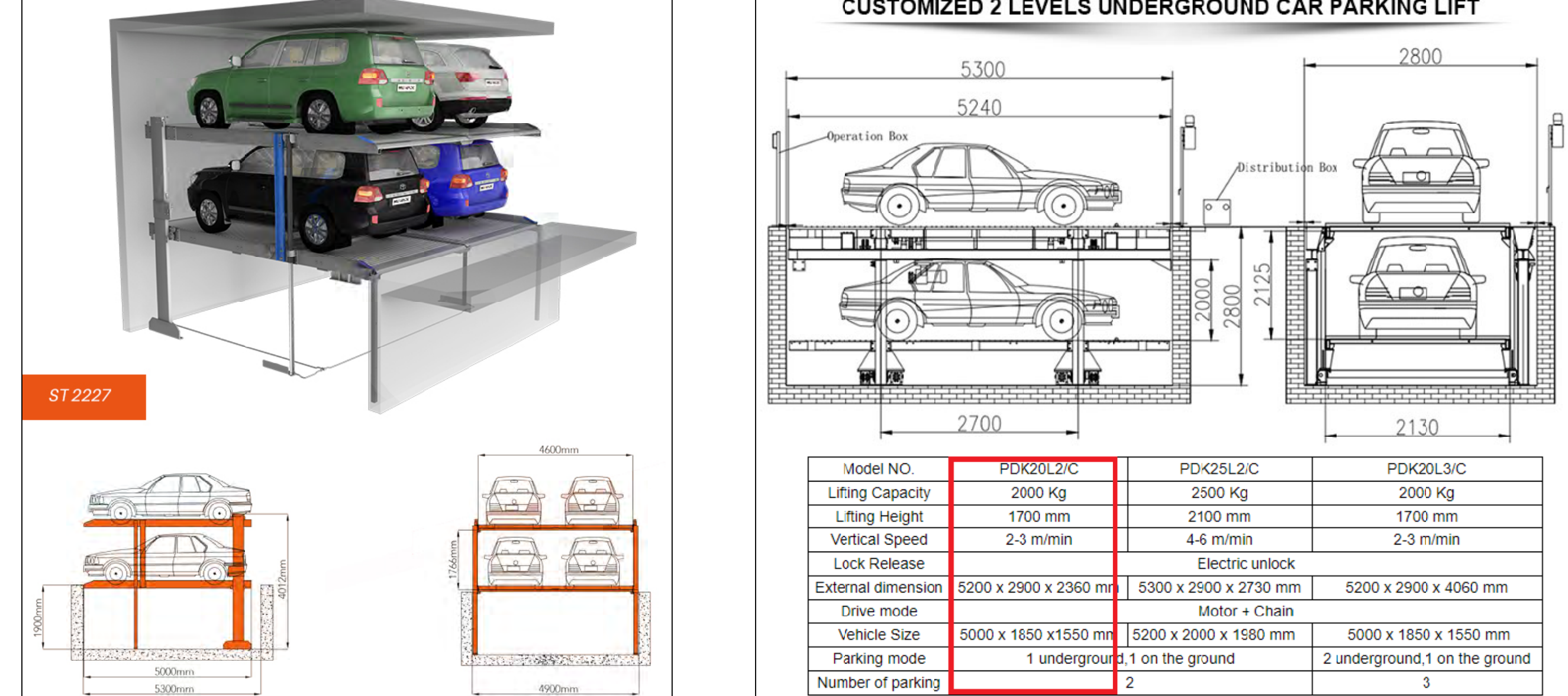
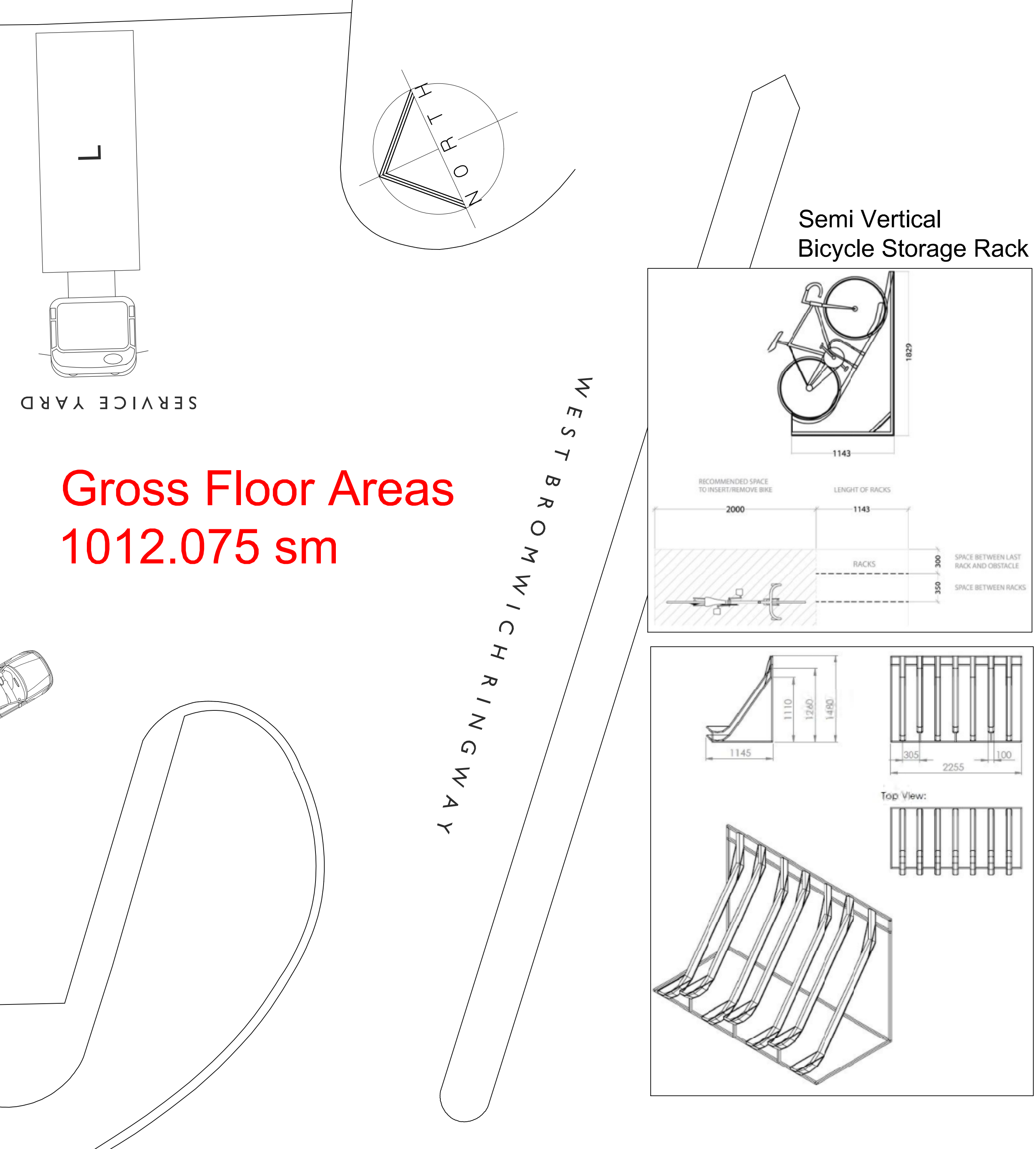
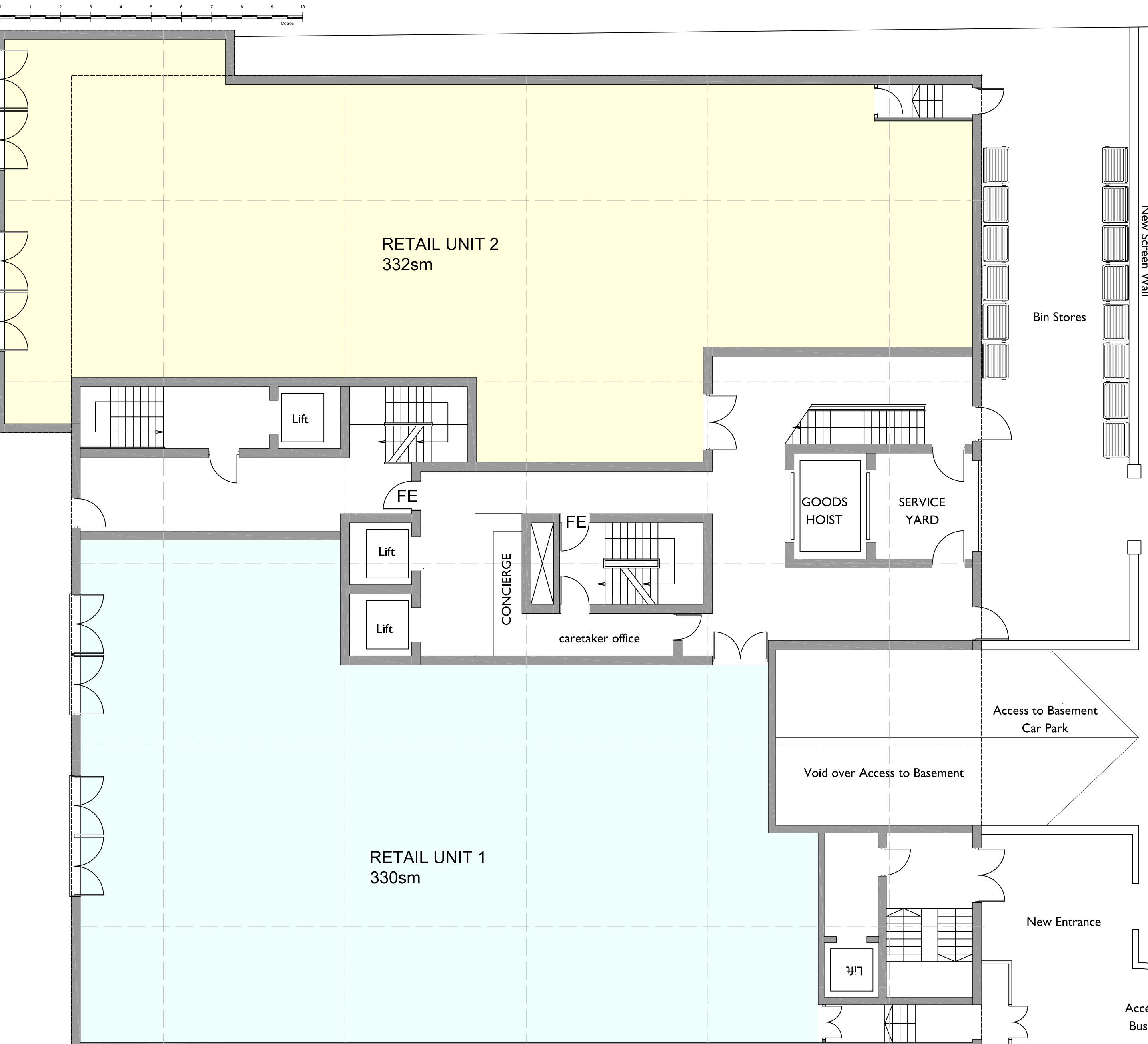
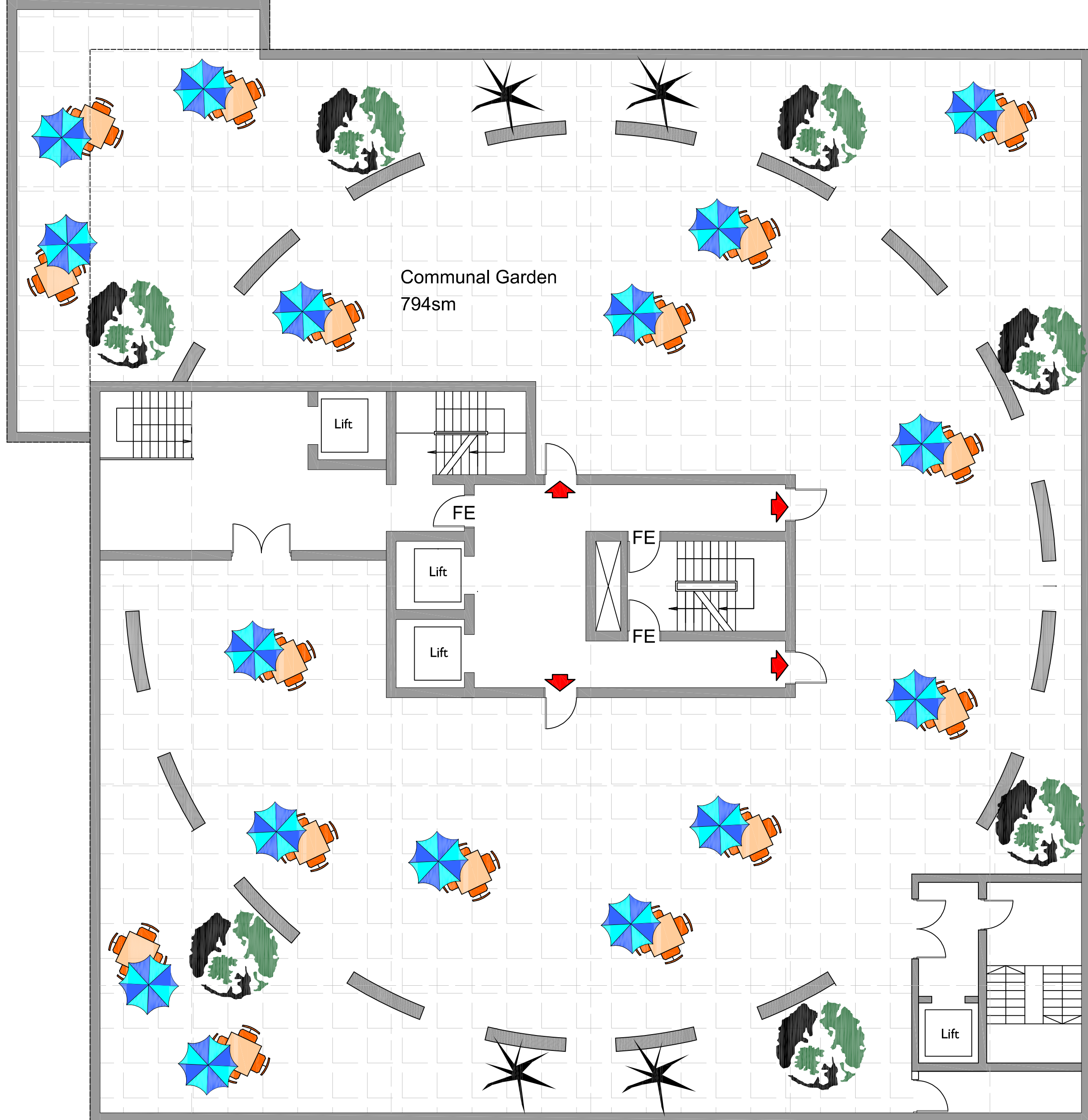
BASEMENT 1022.875 sm



1012.075 sm FIRST FLOOR



1012.075 sm PODIUM



GROUND FLOOR

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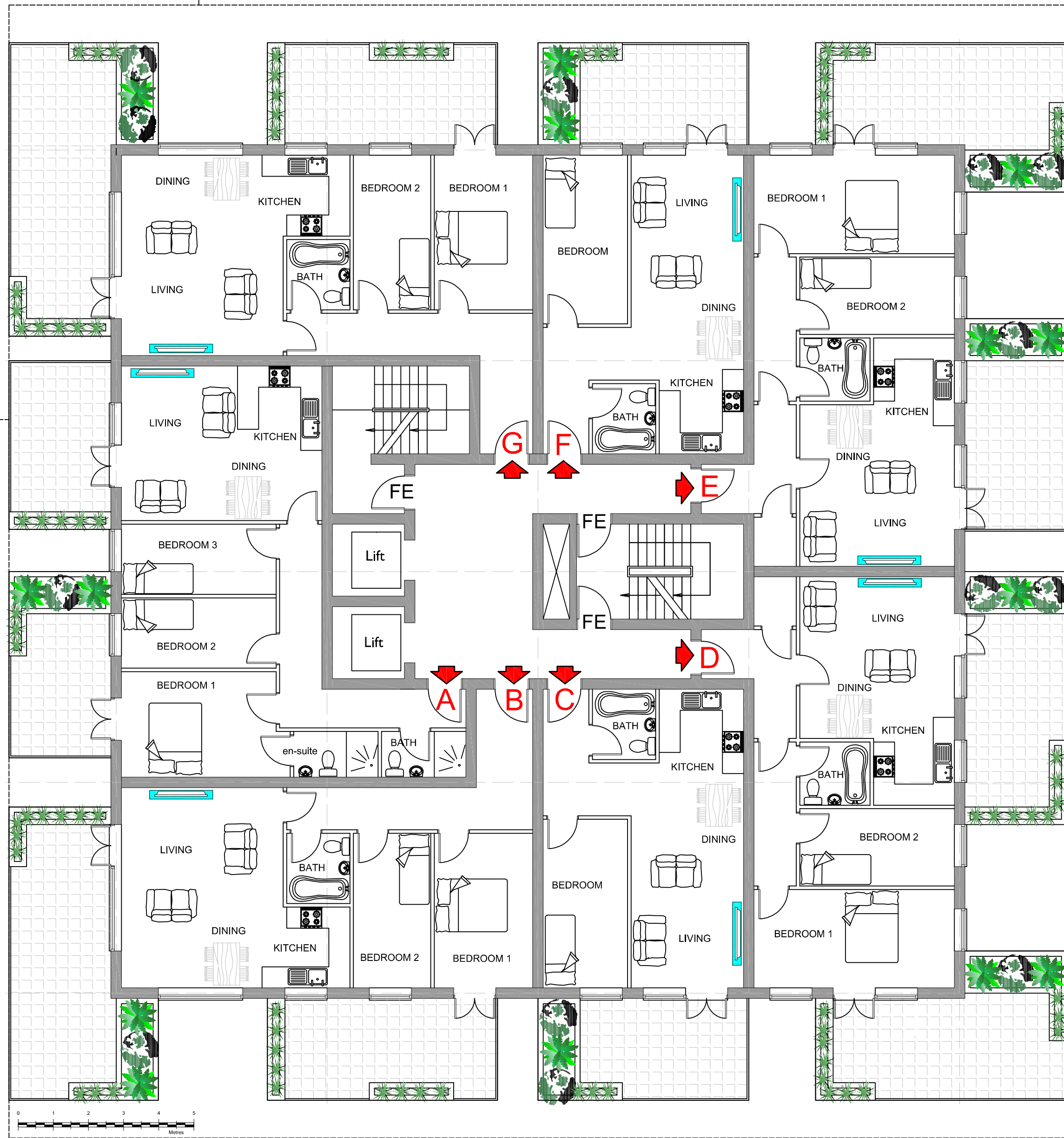
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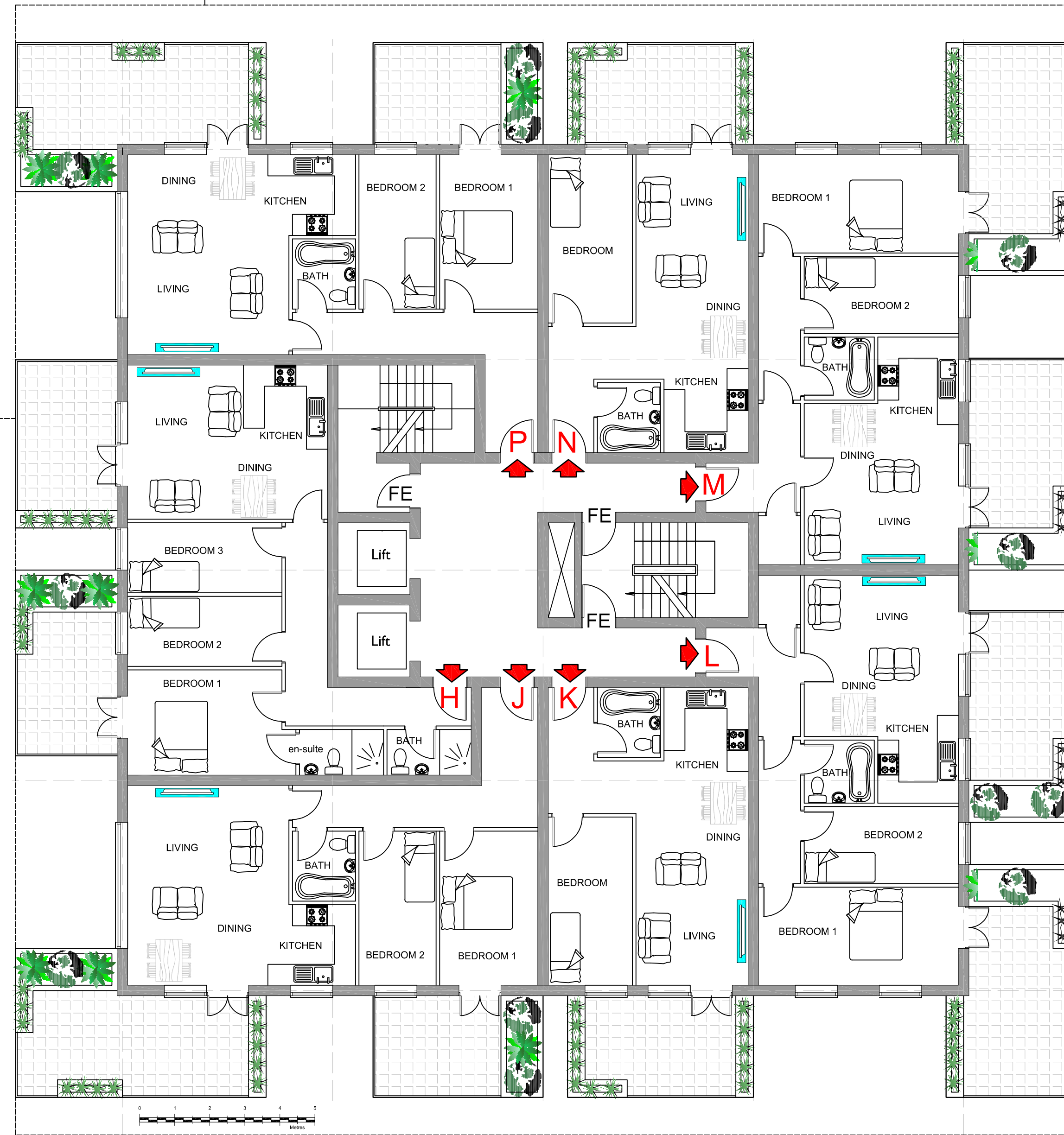
Project: Proposed mixed Residential & Retail Development  
Location: Kings Cinema, Kings Square Sandwell Centre, West Bromwich B70 7NW  
Client: [Redacted]

Scale: 1:100 @ A0  
Drawing No: TW/954/701  
Date: 5 Aug 2021  
Checked: [Redacted]

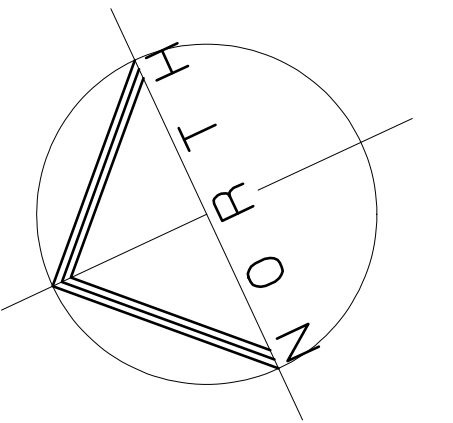




3rd / 5th / 7th / 9th / 11th Floors



4th / 6th / 8th / 10th / 12th Floors



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**Location**  
Kings Cinema  
Kings Square Sandwell Centre  
West Bromwich B70 7NW

Client

Scale  
1:100 @ A1

Drawing No. TW/954/702 Date 5 Aug 2021 Checked


Apartment A (3B 4P)	77sm
Bedroom 1 + En-suite	16.7sm
Bedroom 2	8.8sm
Bedroom 3	8.8sm
Dining/Lounge/Kitchen	25sm
Balcony	29.4sm
Apartment B (2B 3P)	71sm
Bedroom 1	12.3sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	30.6sm
Balcony	47sm
Apartment C (1B 1P)	48sm
Bedroom 1	11.5sm
Dining/Lounge/Kitchen	32sm
Balcony	17.4sm
Apartment D (2B 3P)	68sm
Bedroom 1	16sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	24.6sm
Balcony	20.8sm
Apartment E (2B 3P)	68sm
Bedroom 1	16sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	24.6sm
Balcony	42sm
Apartment F (1B 1P)	48sm
Bedroom 1	11.5sm
Dining/Lounge/Kitchen	32sm
Balcony	17.4sm
Apartment G (2B 3P)	71sm
Bedroom 1	12.3sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	30.6sm
Balcony	47sm

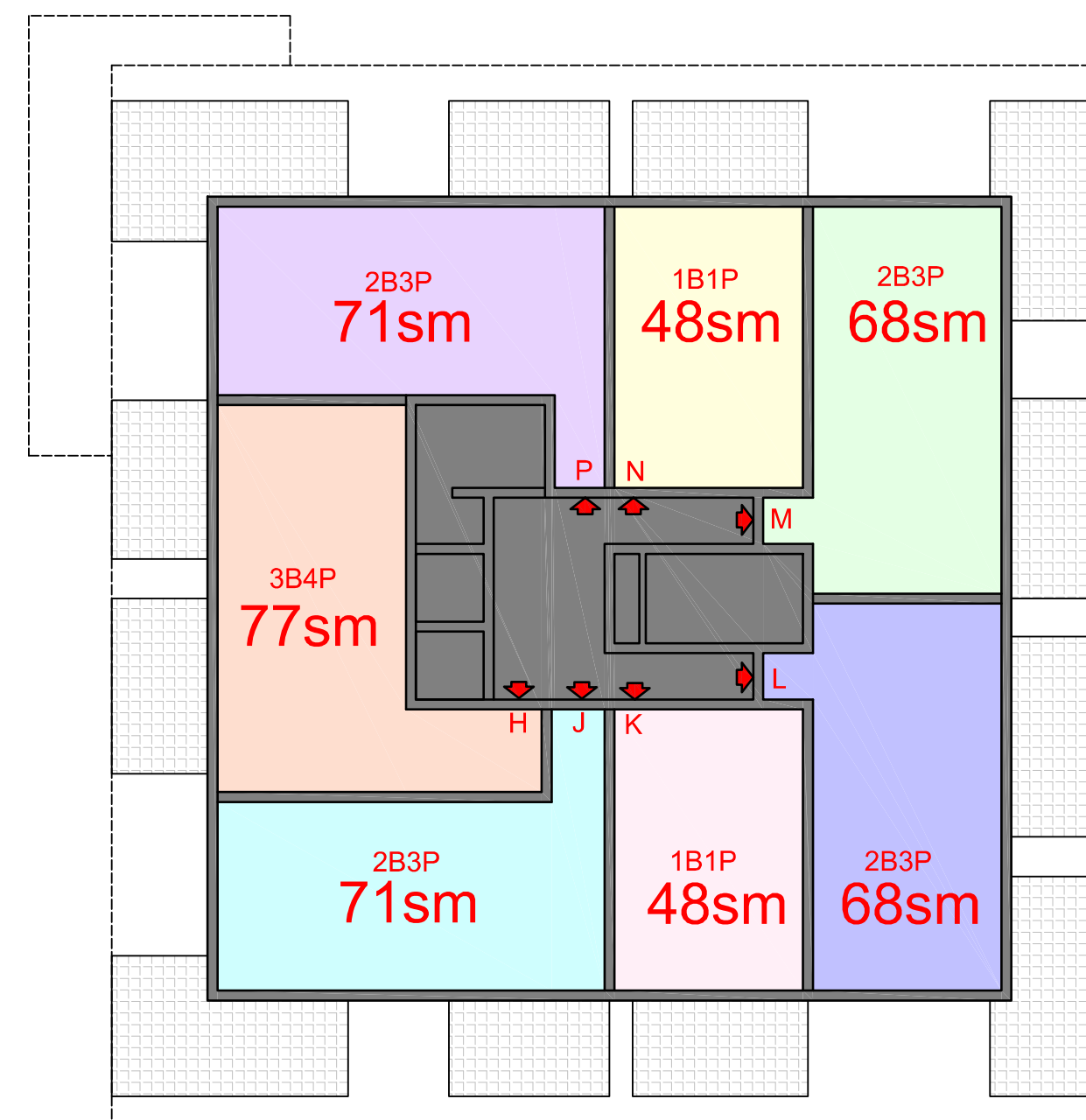
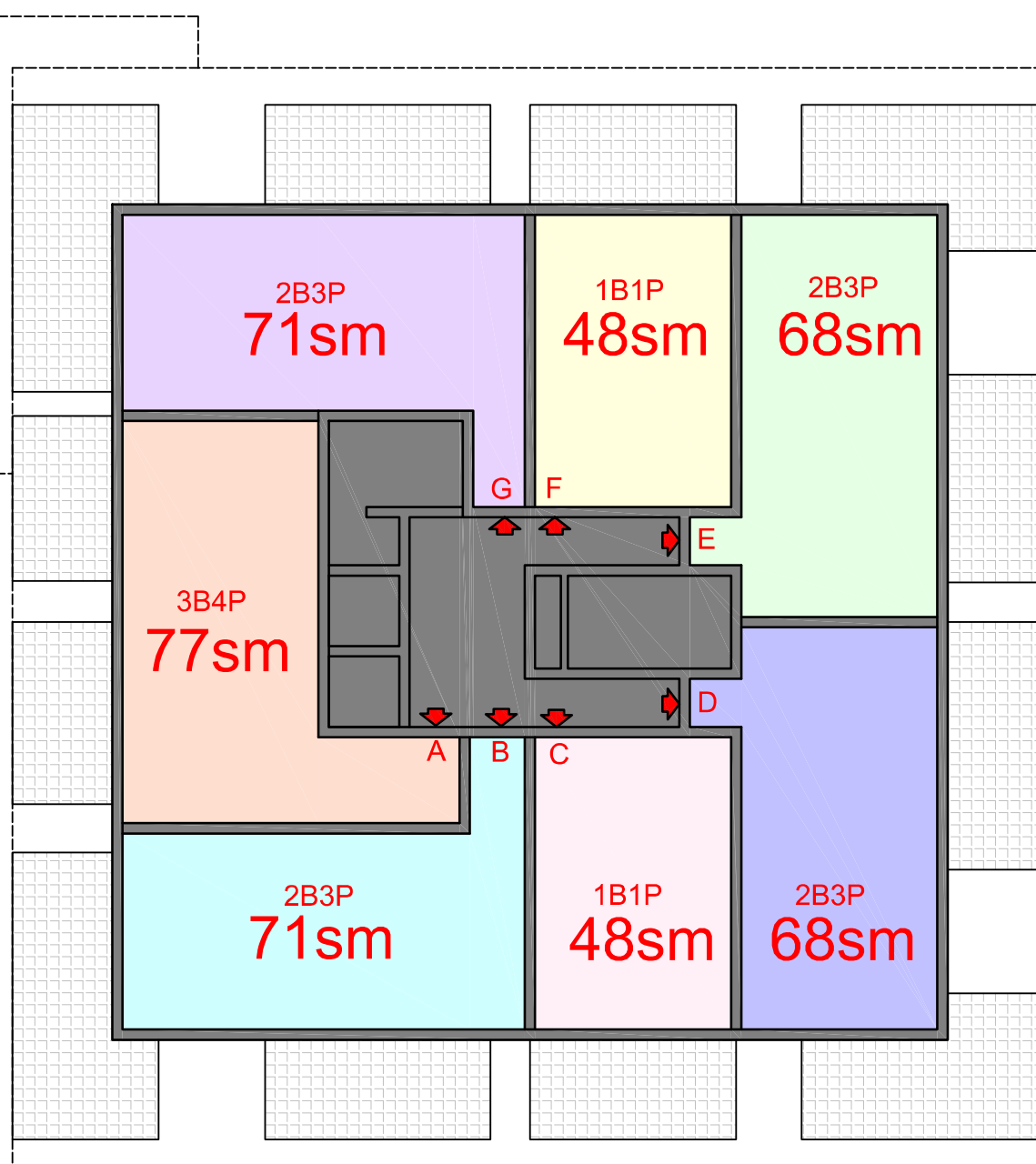
10 Floors x 7 Apartments@ = 70

13th Floor = 4

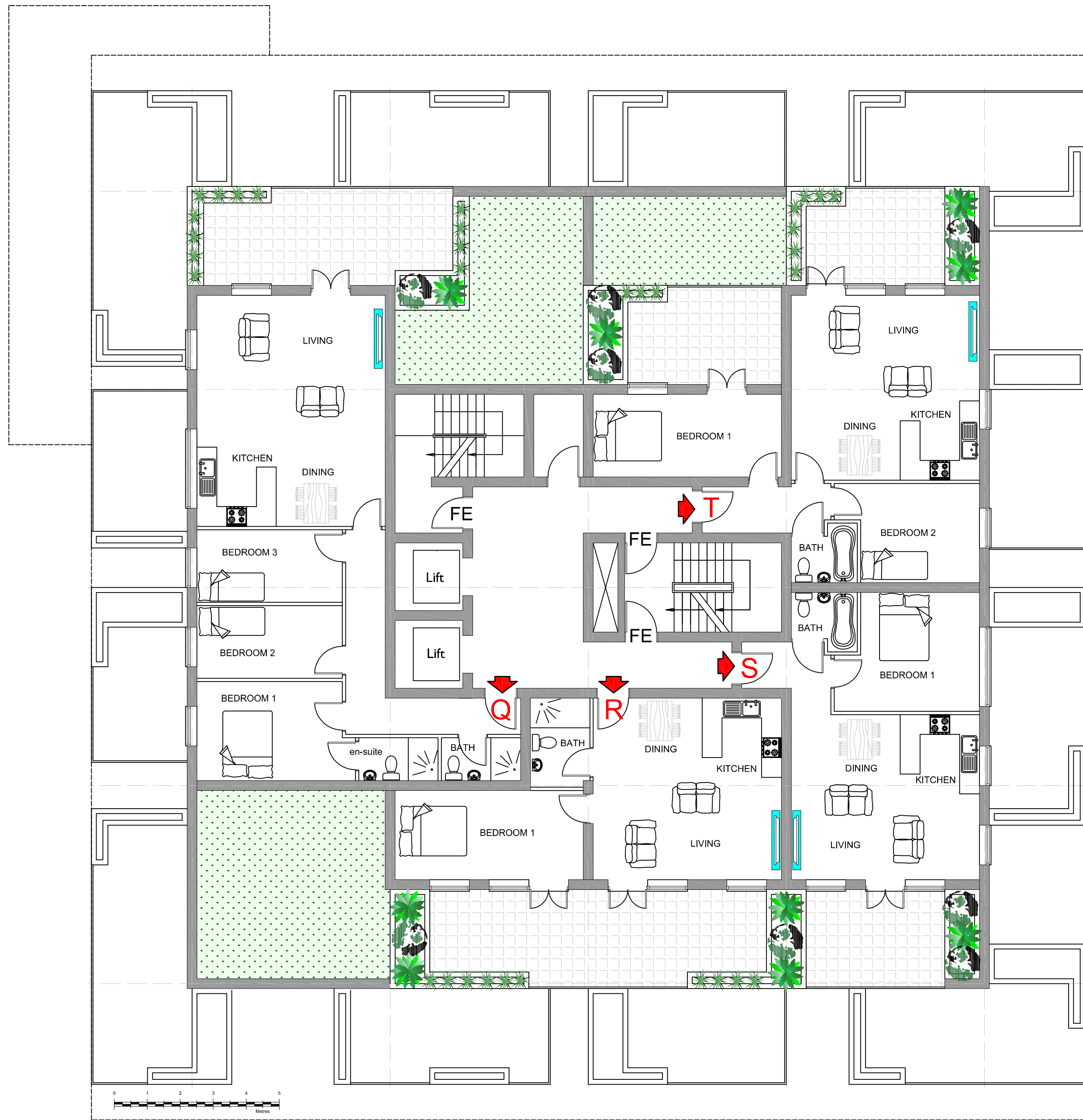
14th Floor = 3

Total Apartments = 77

Apartment H (3B 4P)	77sm
Bedroom 1 + En-suite	16.7sm
Bedroom 2	8.8sm
Bedroom 3	8.8sm
Dining/Lounge/Kitchen	25sm
Balcony	29.4sm
Apartment J (2B 3P)	71sm
Bedroom 1	12.3sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	30.6sm
Balcony	38.6sm
Apartment K (1B 1P)	48sm
Bedroom 1	11.5sm
Dining/Lounge/Kitchen	32sm
Balcony	15.4sm
Apartment L (2B 3P)	68sm
Bedroom 1	16sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	24.6sm
Balcony	38.7sm
Apartment M (2B 3P)	68sm
Bedroom 1	16sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	24.6sm
Balcony	38.7sm
Apartment N (1B 1P)	48sm
Bedroom 1	11.5sm
Dining/Lounge/Kitchen	32sm
Balcony	15.4sm
Apartment P (2B 3P)	71sm
Bedroom 1	12.3sm
Bedroom 2	9.7sm
Dining/Lounge/Kitchen	30.6sm
Balcony	38.6sm



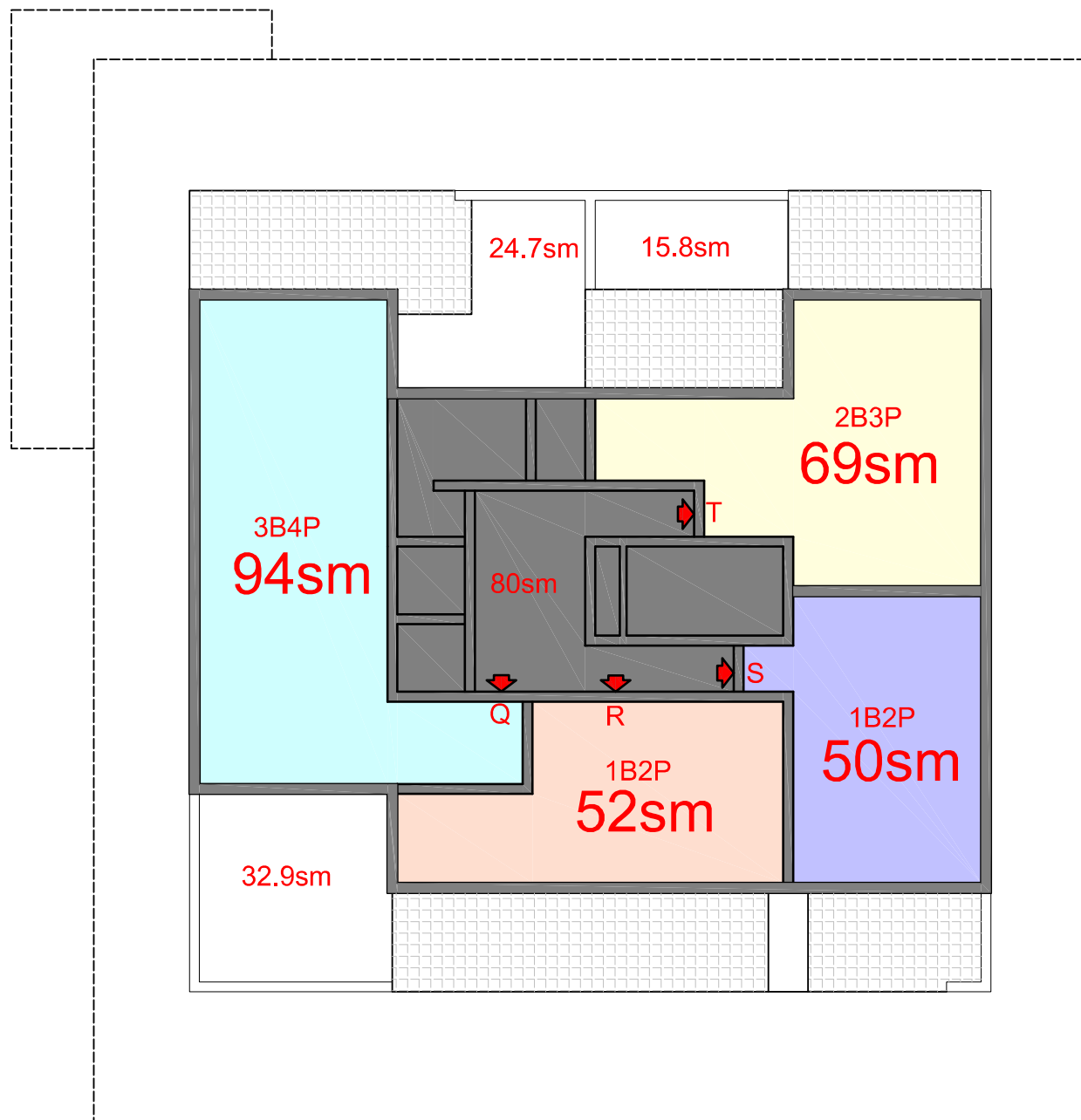




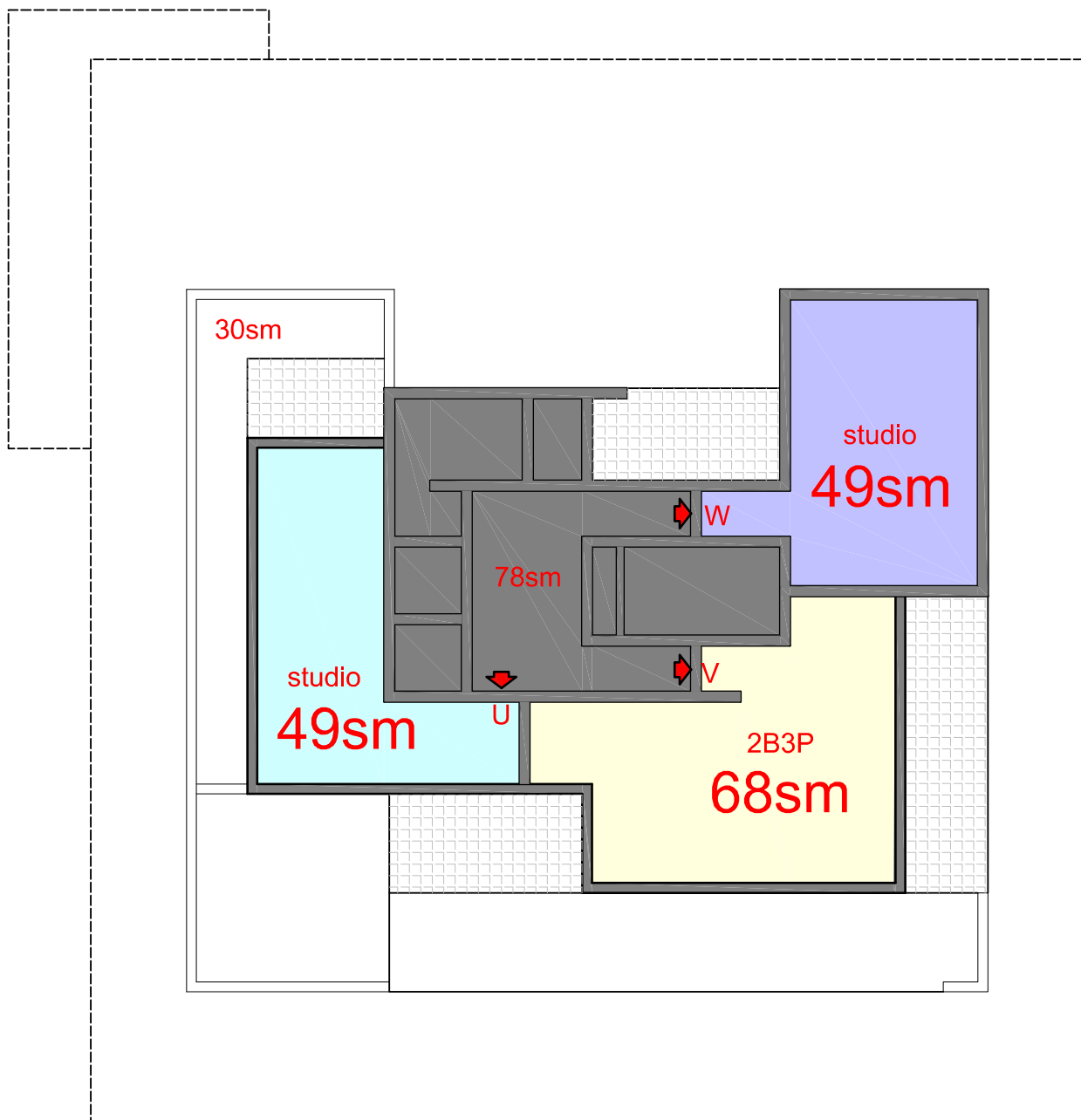
13th Floor



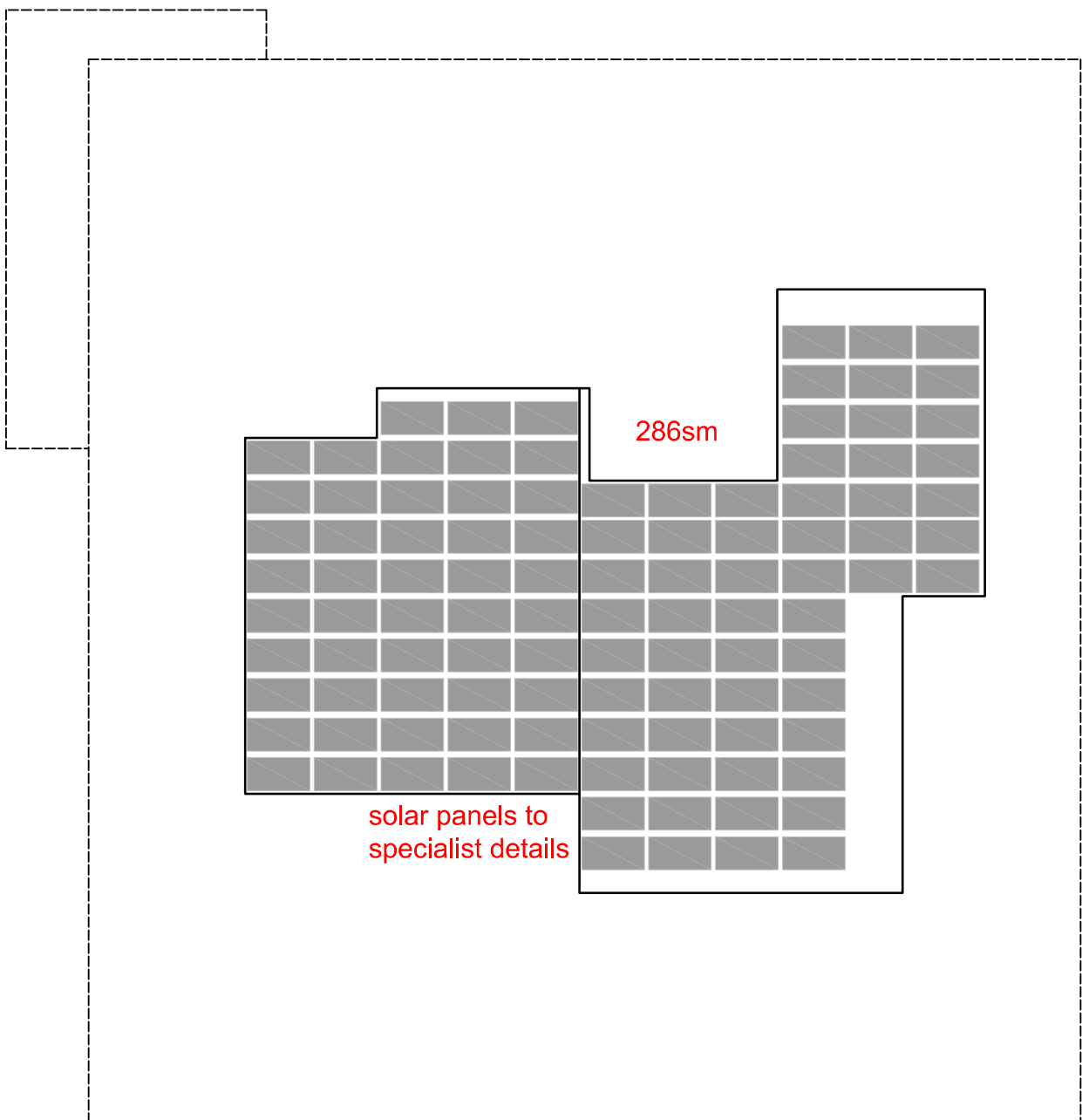
14th Floor



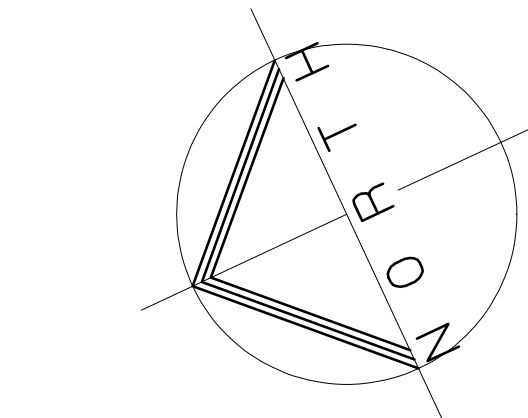
13th Floor



14th Floor



Roof Plan



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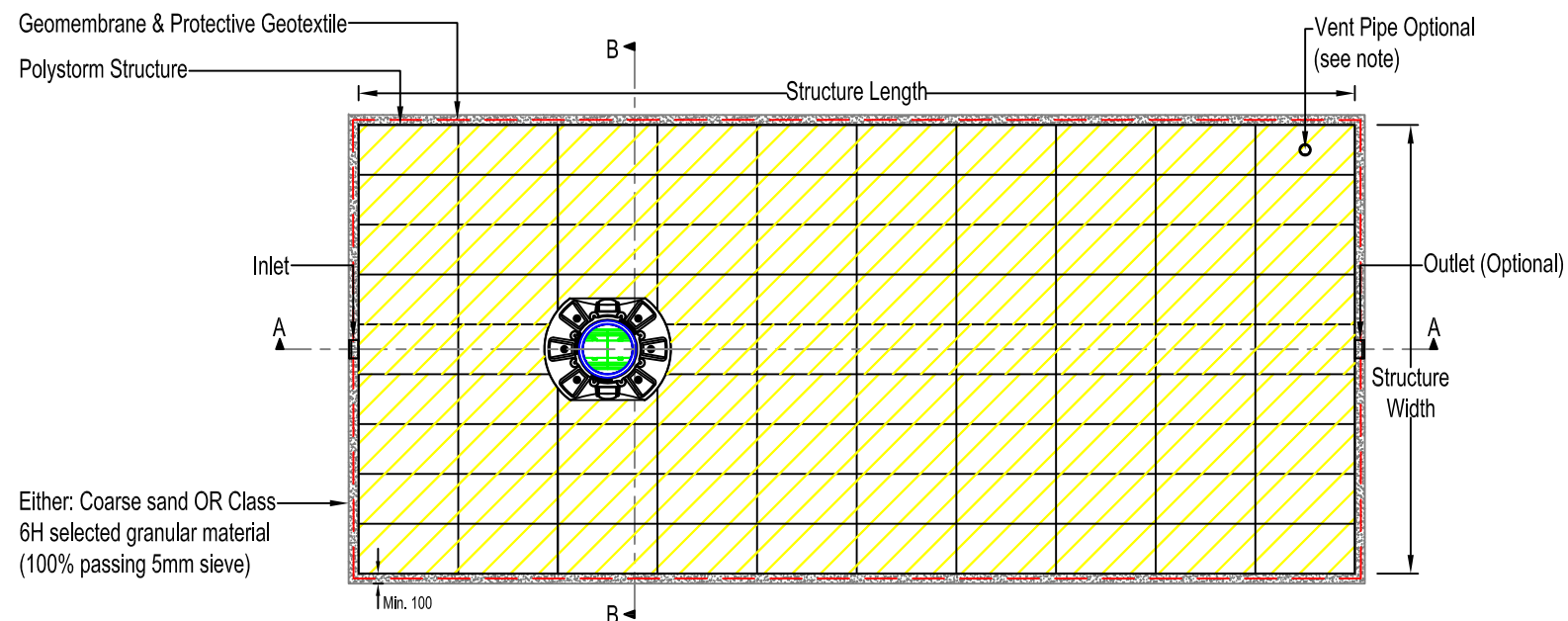
**Project**  
Proposed mixed Residential & Retail Development

**Location**  
Kings Cinema  
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West Bromwich B70 7NW

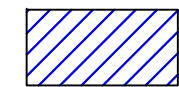
**Client**

**Scale**  
1:100 @ A1

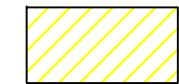
**Drawing No.** TW/954/703 **Date** 5 Aug 2021 **Checked**

### KEY:



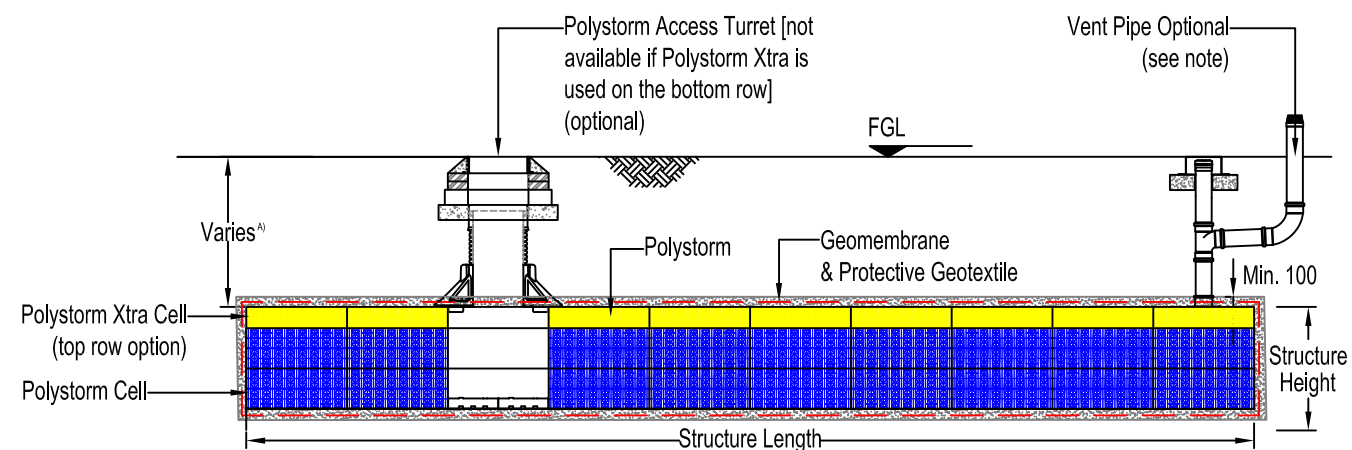
POLYSTORM (PSM1, 1A & 2 CELL)



POLYSTORM (PSM3 CELL)

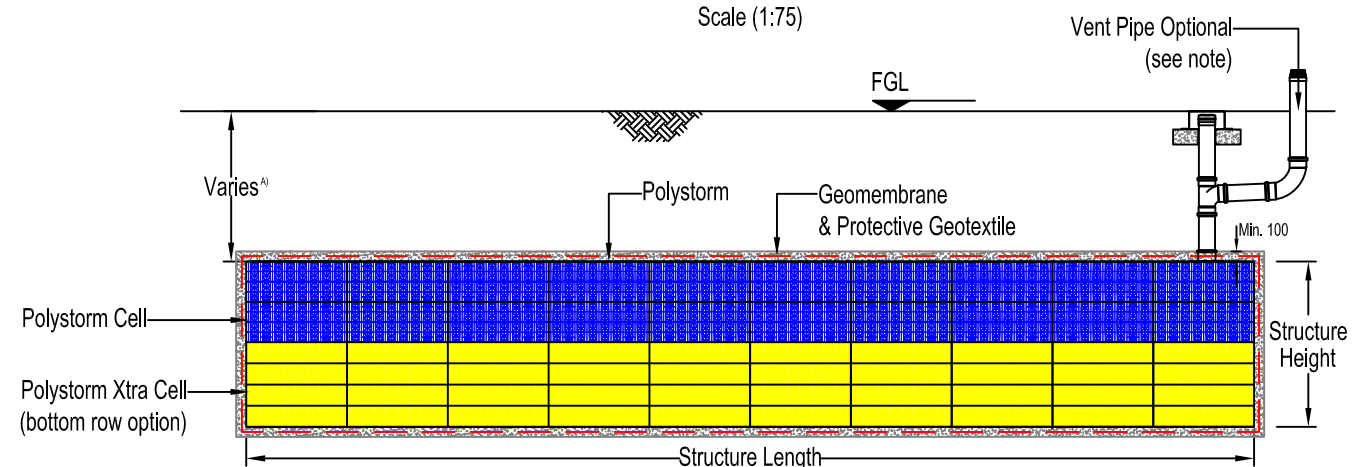
## TYPICAL HYBRID TANK PLAN

(Scale 1:75)



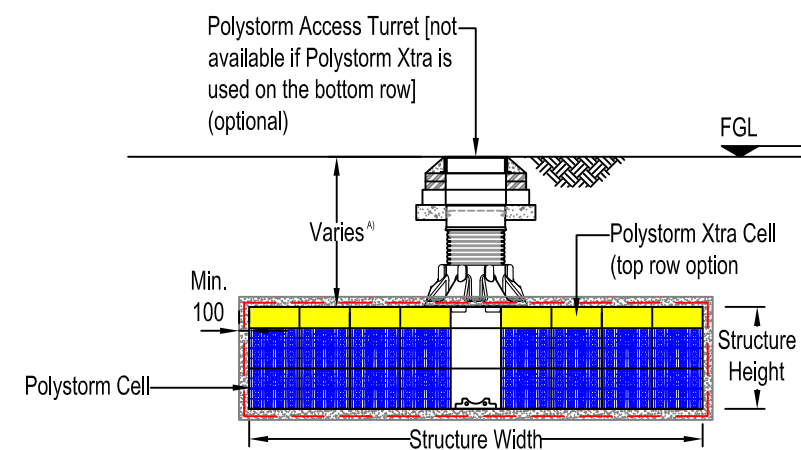
## SECTION A-A

Scale (1:75)



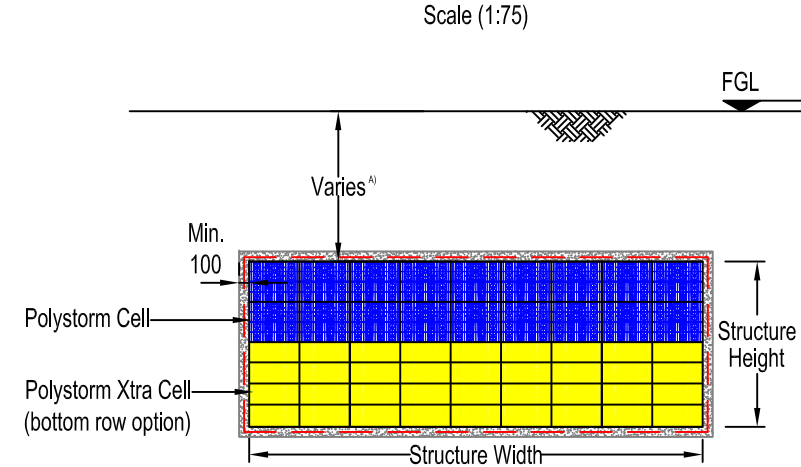
## SECTION A-A

Scale (1:75)



## SECTION B-B

Scale (1:75)



## SECTION B-B

Scale (1:75)

### VENTILATION NOTE

For information on Ventilation Options please refer to drawing ref: PSM\_SD\_PSM\_002

### NOTE A

For information on tank cover depths please contact the Technical Team:- 01509 61500

### NOTES

- All dimensions in millimetres, unless otherwise stated.
- All dimensions are nominal and may vary within manufacturing or construction tolerances.
- All site temporary and enabling works by others.
- Polypipe products to be installed in accordance with Polypipe civils recommendations (refer to Polypipe technical guidance for further information), giving due consideration to the requirements of the organisation who will be taking ultimate owner ship of the installation.
- This drawing is intended for guidance only. Confirmation of the information contained within this document should be sought from the consulting engineers before final design or construction activities commence.

The information in this document is of an illustrative nature and is supplied by Polypipe Civils without charge. This document does not form the whole or any part of a contract or intended contract with the user. The information within this document should not be solely relied upon to determine the suitability or installation requirements of our products for a proposed application and expected site conditions; expert advice should be sought in this respect. Final determination of the suitability of any information or material for the use contemplated and the manner of use is the sole responsibility of the user and the user must assume all risk and liability in connection therewith. Further information with regard to liabilities may be found at [www.polypipe.com/disclaimer](http://www.polypipe.com/disclaimer).



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[www.polypipe.com/wms](http://www.polypipe.com/wms)

PROJECT

POLYSTORM STANDARD DETAILS

TITLE

POLYSTORM HYBRID TANK

STATUS

FOR INFORMATION

DATE

17/03/16

DRAWN BY

JL

ORIGINAL SIZE

A3

SCALE

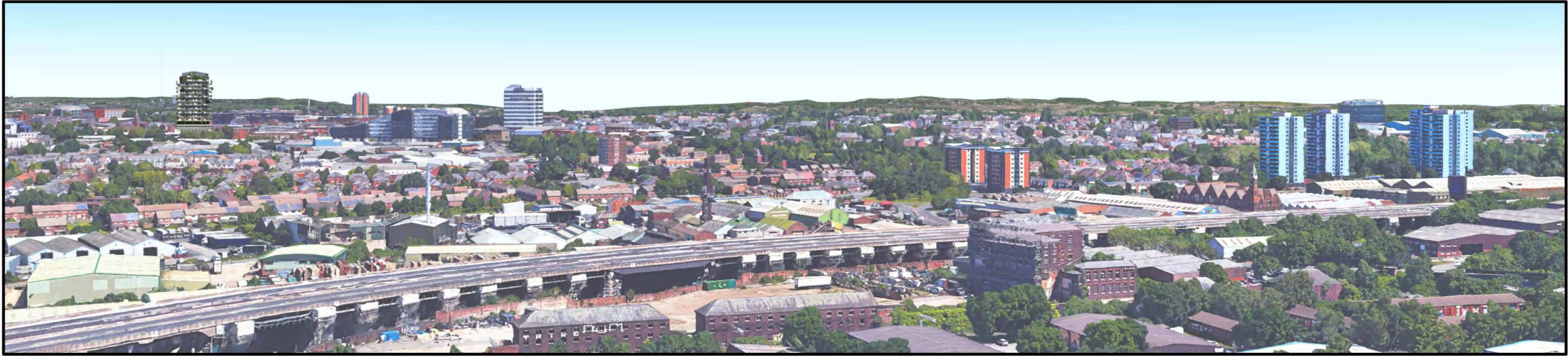
AS SHOWN

DRAWING No.

PSM\_SD\_EG\_005

REV.





PROPOSED WEST ELEVATION  
(facing Bus Station)

**INTEGRATED**  
**DESIGNS**  
& ASSOCIATES LTD  
ARCHITECTURAL SERVICES & CONSULTANT ENGINEERS

38 Old Walsall Road,  
Great Barr,  
Birmingham, B42 1NP

Tel: 0121 358 2233  
Fax: 0121 357 7492  
Email: [contact@integratedesigns.co.uk](mailto:contact@integratedesigns.co.uk)

Planning Act 1990 - The client is the building owner, and as such should take necessary steps to comply with the act where applicable.

CDM - It is the client's responsibility to take all necessary steps to fully comply with the CDM regulations 2007. The designer has taken necessary action to avoid injury / incident while the specification and responsible & practicable steps in the design of the building.

These drawings are for Planning and Building Regulations approval only.

Figured dimensions must be taken in preference to scaled.

All dimensions must be checked on-site by the contractor.

Advice of any discrepancies before commencing work on site prior to or during work is in progress.

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**Project**  
Proposed mixed Residential & Retail  
Development

**Location**  
Kings Cinema  
Kings Square Sandwell Centre  
West Bromwich B70 7NW

**Client**

**Scale**  
1:100 @ A1

**Drawing No.**  
TW/954/704

**Date**  
5 Aug 2021

**Checked**





Proposed Street View - Wellbeing Tower, West Bromwich (illustrative purpose only)

Drawing No.  
TW/954/706

