

Report to Planning Committee

30 March 2022

Application Reference	DC/21/65872 (Planning application) DC/21/65873 (Listed Building application)
Application Received	8 July 2021
Application Description	Proposed residential development comprising of 46 no. 1 and 2 bed apartments, and conversion of boat gauging house (listed building) to 4 no. 2 bed residential units, together with associated car parking and landscaping.
Application Address	Land Adjacent to the Boat Gauging House Factory Road Tipton
Applicant	Taylor Grange PRS Ltd 5-6 Greenfield Crescent Edgbaston B15 3BE
Ward	Tipton Green
Contact Officer	Alison Bishop alison_bishop@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted (DC/21/65872) subject to referral to the HSE and conditions relating to the following:

(i) Materials;



- (ii) Detailed design plans for the proposed highway improvements, new access, signal control, implementation and retention;
- (iii) Parking layout and retention;
- (iv) Footpaths laid out to include a link to the Old Main Line canal and retention;
- (v) Boundary treatments to include a connection to the Old Main Line canal (west of the site);
- (vi) Drainage;
- (vii) Refuse management plan;
- (viii) Hard and soft Landscaping scheme;
- (ix) Intrusive site investigations and remediation (contamination, coal mining legacy);
- (x) Implementation of drainage strategy and maintenance;
- (xi) Electric charging points (one per 10 spaces);
- (xii) Low NOx boilers;
- (xiii) Travel Plan;
- (xiv) Air Quality Mitigation Plan – to protect future occupiers from poor quality air;
- (xv) Construction management statement which should include restriction of construction work and the delivery of materials to between the hours of 08.00 and 17.30 Monday to Friday, 09.00 to 13.00 on Saturdays and no work on Sundays or bank holidays;
- (xvi) An energy statement is required to comply with 10% renewable energy component;
- (xvii) CCTV;
- (xviii) Lighting scheme;
- (xix) Secure cycle parking; and
- (xx) Noise mitigation for windows and external balconies
- (xxi) Plant and machinery details

1.2 That listed building consent is granted (DC/21/65873) subject to referral to HSE and conditions relating to the following:

- (i) Schedule of materials for windows, doors, mortar and chimney capping, roof files etc; and





- (ii) Details for the capping of the chimney.

2 Reasons for Recommendations

- 2.1 The regeneration of this site would enhance the setting of the canal and the conservation area, would result in much needed new homes within Sandwell, given the current housing shortfall, and would also restore the listed building with a long-term use that would ensure its future maintenance.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The proposal will provide much needed new homes, enhances the setting of the area/canal and restore an historic listed building.
	A strong and inclusive economy – the proposal will provide opportunities for jobs and apprenticeships during the construction stages including specialist historic conservation skills/techniques.

4 Context

- 4.1 At your last meeting, members resolved to visit the site.
- 4.2 This application is being reported to your Planning Committee because four objections have been received. An objection has also been received from the Health and Safety Executive due to the presence of a high-pressure gas pipe line which runs parallel to the canal and would be adjacent to the residential conversion of the boat gauging house. This will be referred to later in the report.
- 4.3 To assist members with site context, a link to Google Maps is provided below:

[The Boat Gauging House, Factory Road, Tipton](#) – Aerial view



5 Key Considerations

- 5.1 The site is allocated for housing in the Development Plan and lies within Factory Locks, Tipton Conservation Area.
- 5.2 The material planning considerations which are relevant to this application are:-

Planning history

Overlooking/loss of privacy

Loss of light and/or outlook

Overbearing nature of proposal

Layout and density of building

Design, appearance and materials

Planning balance

6. The Application Site

- 6.1 The application site is situated to the west of Factory Road, is bounded to the north by the New Main Line canal and the listed Factory Locks, and to the west by the Old Main Line canal. There is a buffer green strip of trees and verge ranging between 20 metres and 30 metres in length to the south with residential properties beyond. Refer to extract below showing view from Beaumont Close:





The area is situated within the Factory Locks, Tipton Conservation Area and the Boat Gauging House is a Grade II listed building.



Elevation facing the proposed flats (Block A and C)





Elevation facing the canal frontage

6.2 History of the Tipton Boat Gauging House

The canal companies made their money by charging tolls on the boats using the waterways. By the early nineteenth century the charging combined both the distances travelled and the weight of the cargo. The gauging method was based on the known displacement of each individual narrow boat when empty and in varying degrees of load. This required the use of a gauging dock. An empty narrow boat or barge was warped into the narrow dock and its unladen weight could be marked on the hull. Gradually the barge was loaded with weights and resultant displacement again marked on the sides of the hull. The Birmingham Canal Navigations Company was quite slow in using the gauging method of assessing tolls, with the first introduced on the new mainline at Smethwick which were a pair of parallel gauging docks, open to the elements. The Tipton Gauging House was built in 1873. The gauging house was fitted with two parallel gauging docks both undercover and the stations worked in tandem, gauging new boats and those that had been modified or radically repaired. Each was given a metal plate with their original gauging number.



Whilst the gauging station in Smethwick closed in 1920, the Tipton station continued into the 1960s when gauging on the main British Waterways Board system ceased. The station dealt with the gauging and registration of over 10,000 boats between 1873 and 1900. The canal basin which served the boat gauging house was filled in around 1969.

The building itself consists of three attached components, the eastern end office building being added later in around 1904. The exterior to the main building is a large single storey brick red brick structure in a simple English bond, however, the ends of the bricks used as headers are over fired and glazed so that they are a pale grey-blue colour. The foot of the walls incorporates a low brick plinth of chamfered engineering 'blue' bricks and at the top of the walls are simple projecting eaves courses of red bricks. The roof is hipped to all four walls. The interior is a large open space to the roof apex with bare painted walls and despite the addition of the concrete over the floor the original two parallel docks can still be deciphered. The doorways and windows have been blocked up for security reasons but retain their original decorative semi-circular arched heads.

It should be noted that English Heritage (now Historic England) in 2011 carried out an assessment in relation to upgrading the current Grade II listing to a Grade II* listing. The assessment gave consideration to the internal features of the boat gauging house and the surrounding canal and infilled basin. The conclusions of this assessment stated that ***'The building is accurately designated at Grade II. The lack of machinery and the fact that the docks and entrance basin have been filled, together with alterations to the building, mean that it does not have more than special interest and should not be upgraded, and the designation extended to include these related items'***.

7. Planning History



7.1 The site has largely been vacant for several years and several planning submissions have been made to convert the boat gauging house to residential use along with the erection of new apartment blocks. Planning permission was originally granted in 2007 which included 35 new residential units and conversion of the Grade II listed boat gauging house to four residential dwellings. Applications were simultaneously submitted and granted for proposed works to the gauging house and conservation area consent for the demolition of non-listed buildings within the site.

The permissions were all renewed and granted a further permission in 2011. The planning permission (reference: DC/11/53893) granted planning permission for a further five years. This permission was subject to conditions requiring that strengthening works would occur to the high-pressure pipeline due to its proximity to the proposed residential development. Most of the original industrial buildings have been demolished under this consent leaving just the concrete slab, one smaller industrial unit and the listed boat gauging house.

In 2014 an application was submitted under DC/14/57672 to vary the conditions relating to the pipeline, in essence it was claimed that not all of the pipeline required strengthening as only the gauging house was within the inner safety zone as defined by the Health and Safety Executive. Therefore, it was argued that only the stretch of the pipeline directly opposite the Gauging House would require strengthening. This application was withdrawn following consultations with National Grid and confirmation from their structural engineer that the pipeline could not be strengthened due in part to its reduced depth and issues over access to the maintenance of other utilities.

Following further discussions, it was considered that a suitable way forward was to submit the application which removed the Gauging House from the originally approved scheme. This would enable development of the remainder of the site. This application was made under Section 73 of the Town and Country Planning Act 1990 (as amended). The removal of this condition resulted in the proposal only



being for 35 one and two bed apartments with associated parking with all other details remaining as previously approved under DC/11/53893. A commitment was also made by the applicant to restore the Gauging House (although not convert), the details of which would be agreed with the local planning authority. None of these schemes have been implemented.

7.2 Relevant planning applications are as follows:

DC/15/58056	Variation of condition 1 of planning permission DC/11/53893. Proposed erection of 35 one and two bed residential apartments with associated car parking and landscaping. Revised proposal to exclude the Boat Gauging House from the development.	Grant permission with conditions 17.08.2015
DC/11/53893	Renewal of planning permission DC/07/47470 for proposed erection of 35 one and two bed residential apartments and conversion of The Boat Gauging House into 4 residential dwellings with associated car parking.	Grant permission with conditions 10.02.2012
DC/11/53895	Renewal of listed building consent DC/07/47472 for proposed conversion of The Boat Gauging House into 4 residential dwellings.	Grant conditional listed building consent 10.2.2012
DC/11/53900	Renewal of conservation area consent	Grant conservation area consent



	DC/07/47471 for proposed demolition of one two storey industrial unit and demolition of one single storey industrial unit.	10.02.2012
DC/07/47470	Proposed erection of 35 one and two bed residential apartments and conversion of The Boat Gauging House into 4 residential dwellings with associated car parking.	Grant permission with conditions 06.11.2008
DC/07/47472	Proposed conversion of The Boat Gauging House into 4 residential dwellings.	Grant conditional listed building consent 06.11.2008
DC/07/47471	Proposed demolition of one two storey industrial unit and demolition of one single storey industrial unit.	Grant conservation area consent 06.11.2008

8. Application Details

- 8.1 The scheme as proposed is largely of the same footprint as the previous consent, including two new residential blocks of flats (Block C and A), but increases the number of units from 35 to 46 one and two bed apartments. Block B is the listed boat gauging house:





Proposed scheme



Approved scheme

8.2 Block A is situated at the entrance of the site and comprises 10 flats (7, 1 bed and 3, 2 bed) and has a maximum footprint of 18.5m by 14.4m with the heights being three storeys (11.3m) and then steps down to two storeys (7.6m) for part of the block. Block C is the larger being four storeys in height. The elevations include arched glazed balconies to reflect some of the arched detail of the Boat Gauging House.



Proposed Block A

8.3 Block B (Boat Gauging House), this component of the development required both listed building consent and planning permission. The proposal is to subdivide the gauging house into four residential units



each having its own entrance with a ground and first floor. The original windows would be retained to most of the building, except where new openings would be created to serve the new flats; these modifications will be facing toward the site. The canal frontage would remain unchanged.

- 8.4 Block C is the large block and situated further into the site and comprises 36 flats (25 2, bed and 11 1, bed). The block comprises four storeys reducing in part to three storeys, with a maximum footprint of 46m by 24m with a maximum height of 13.9m reducing in part to 11.6 metres. External balconies are included which would front onto the canal frontages.



Proposed Block C

The palette of materials for the two new blocks is a combination of blue brick and red brick to complement the canal vernacular and the listed building.

9. Publicity

- 9.1 The application has been publicised by neighbour notification, site and press notices. Four objections have been received, three are from residents and one from the Tipton Civic Society.

9.2 Objections



Objections have been received on grounds of either amenity (i.e. loss of privacy etc) or in relation to the conversion of the listed building. These have been grouped below and summarised as follows:-

Amenity and design concerns

- i) Loss of green space/effect on wildlife;
- ii) Overlooking/loss of privacy to residents on Beaumont Close;
- iii) The development will have a negative impact on the conservation area/canal and whole area;
- iv) The development is an eyesore;
- v) The design of the new build fails to achieve the design quality required in a conservation area;
- vi) The building does not lend itself to residential conversion due to the proximity of the high-pressure gas line;
- vii) Building on the footprint of the infilled canal basin will prevent any future possibility of reviving this area in the future; and
- viii) Details of materials, boundary treatment are not sufficient.

Listing building concerns

- ix) Subdivision of the Boat Gauging House would be detrimental to its historic character;
- x) The Boat Gauging House should be preserved for what it is and opened as an industrial heritage site for future generations;
- xi) The building is of unique historic importance to the canal network;
- xii) The development would be a loss to the dwindling industrial heritage of the area; and
- xiii) The conversion of the listed building would destroy original internal features.

Immaterial objections have been raised regarding devaluing nearby property.



9.3 Responses to objections

I respond to the objector's comments in turn:

- i) The siting of this development is on the original concrete pad for the former industrial site, the trees and green space beyond the site fall outside the red line boundary and hence there will be no development on the green space.
- ii) The separation distance at the nearest point to properties on Beaumont Close to the proposed rear elevations of Block A, is 37 metres and Block C, 60 metres. This, combined with the existing tree cover between the existing and proposed, alleviates concern regarding overlooking and loss of privacy.
- iii) The site has benefited from planning permission previously for this scale of development and, in my opinion, with the right external materials and boundary treatments this development would enhance both the setting of the listed building, the conservation area and regenerate a site that is vacant. In the main, the proposed elevations provide detail which reflect the canal vernacular but do not try to replicate the historic building; merely incorporating some similar characteristics (i.e. arch details, materials).
- iv) In addition to the comments (iii) above, the development in my opinion would not be an eyesore. It would be framed around the green edges/trees and open space which sit between Beaumont Close.
- v) This comment is subjective, the scale of the development befits the canal frontage and the elevations incorporate balcony features. In addition, as indicated above, good design is achieved by good quality materials and these can be conditioned.



- vi) There has been considerable discussion in previous applications about the proximity of the high-pressure pipeline refer to paragraph 10.14 below, for further discussion.
- vii) The site has been vacant for several years, and during the original planning application submission in 2007, the developer provided the opportunity to the Canal and Heritage Groups to devise a plan for the re-use of the listed building and potential for re-opening the canal basin. Unfortunately, no proposal came forward. Since this time no other actions have been instigated and I do not foresee any likelihood that this will emerge in the future. The key concern is that to do nothing with this site, risks the demise of the listed building to the detriment of the setting of the conservation area and the canal corridor.
- viii) It is accepted that further details of materials/boundary treatment will be required. The applicant has indicated a pallet of materials and proposed fencing which provide sufficient detail at this point, however additional conditions would ensure that Planning and the Conservation Officer inspect the material samples to ensure the colour/texture/form is appropriate within the conservation area.

Listing Building concerns

- ix) The Boat Gauging house is a historic building at risk and continues to fall into disrepair because it has no use or purpose. Historic England considers that the absence of a sustainable use for an historic building will result in the building falling into disrepair and being vulnerable to vandalism. Residential uses are often considered to be the most suitable re-use providing conversion is sensitively carried out. I am also mindful that the interior of the building has largely been lost and this is reflected in the review undertaken by English Heritage in 2011. The external fabric of the building would continue to read as a boat gauging house and so this is considered to be a good compromise to ensure the long-term maintenance of the building.



- x) As indicated in vii) above, opportunities have been provided to the Canal and Civic Societies to re-use the building for a canal/heritage use. The history of the building will be recorded in Sandwell's Historic Environment Record and the restoration of the building will be enjoyed by users of the canal.
- xi) It is accepted that the building is of unique historic importance to the canal network, but the interior has been lost, hence restoring the external fabric will still allow the building to be appreciated.
- xii) Much of Sandwell's industrial heritage has been lost due to economic circumstances. The opportunity to regenerate the site and provide much needed homes, which will also provide opportunities for apprenticeships and construction jobs would contribute towards Sandwell's objectives within the Corporate Plan.
- xiii) In relation to conversion of the listed building's internal features, refer to (ix) above.

10. Consultee responses

10.1 Planning Policy

There is a no policy issue with the principle of this proposal, which is established. Reference has been made to compliance with relevant policies which are summarised in paragraph 12 below.

The proposal is liable for Community Infrastructure Levy (CIL).

10.2 Transportation Policy

No objections, however the applicant should create a pedestrian and cycle link on the western side of the site to connect to the Old Main Line



canal. The Canals and River Trust aim to upgrade the towpaths, which will create a route into Oldbury and National Cycle Route 81.

10.2 Highways

No objections subject to conditions relating to the signal/junction improvements, parking layout out and retention.

10.3 Urban Design

The scheme is acceptable in mass and scale, the introduction of the balcony features is welcomed facing towards the canal frontage for Block C. Further architectural detail has been requested on the entrance features to reflect the arched details of the listed building. Block A is acceptable as are the proposed materials, however it is recommended that a schedule of materials is conditioned. Footpath links through the site are generally acceptable, but minor revisions have been requested and an update will be reported to your meeting.

10.4 Conservation Officer

The application relates to a listed building that has been unoccupied for several decades.

It stands within a conservation area and within the setting of a number of related heritage assets (Factory Locks). The building is in an untidy state of slow deterioration; this is not in the interests of the heritage asset itself, the setting of other heritage assets, or of the character and appearance of the conservation area.

Earlier approvals are noted, and the scheme is therefore supported, however there are a few issues that need addressing:

- i) As much of the original fabric of the listed building as possible should be retained; for example, the chimney proposed for removal could be repaired, capped and kept in situ;



- ii) A measured approach should be taken with windows – retention of original materials and use of secondary glazing would be entirely appropriate with the proposed residential use; and
- iii) Clarification of the southern elevation which is to be infilled with timber panels to create two new doorways.

The applicant has been appraised of these requirements and amended plans are awaited. In addition, conditions can be attached to the listed building consent.

10.5 Public Health (Air Quality)

A number of conditions to assist with air quality management have been recommended which include electric charging points (one per 10 spaces), low NOx boilers, Travel Plan, Air Quality Mitigation Plan – to protect future occupiers from poor quality air - and construction management statement which should include restriction of construction work and the delivery of materials to between the hours of 08.00 and 17.30 Monday to Friday, 09.00 to 13.00 on Saturdays and no work on Sundays or bank holidays.

10.5 Public Health (Air Pollution and Noise)

A noise assessment was recommended, which the applicant has now submitted. A response is awaited from Public Health and an update will be provided to your meeting. They also recommend a construction management plan which can be conditioned.

10.7 Public Health (Contaminated Land)

No objection subject to appropriate ground conditions.

10.8 Environment Agency



No objections. Recommendations have subsequently been made for additional intrusive investigations to further delineate any potential significant contamination that may be present and pose a risk to controlled waters. These will be conditioned accordingly.

10.9 **West Midlands Police**

No objections but recommend various security measures, such as lighting, CCTV, secure cycle storage. These can be conditioned accordingly.

10.10 **Coal Authority**

No objections. The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed and carried out by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development. This can be conditioned accordingly.

10.11 **LLFA**

No objections, relevant conditions will be attached in relation to implementation of the drainage strategy and ongoing maintenance.

10.12 **Canal and River Trust**

The trust consider that the scheme is not acceptable due to its bulk, being overly dominant and incongruous when viewed from the canal corridor and adversely affecting the setting of the listed building. They argue that the harm of this development would not be outweighed by any public benefits and it therefore contrary to several policies within the Black Country Core Strategy. Refer to Section 12 below.



They have also sought clarification on materials to be used in the conversion of the listed building, as expressed by the Conservation Officer.

They have also raised concerns about the impact of the development on the structural integrity of the canal infrastructure, contrary to policy DC6 in the Sandwell Site Allocations and Delivery Development Plan Document 2012.

10.14 HSE

The site lies within the consultation zone for a major hazard pipeline, (i.e. the Tipton Cemetery – Hagley Transco Transmission High Pressure Pipeline). In this instance the pipeline runs parallel with the New Main Line canal. The HSE's role is to provide the council with advice on the nature and severity of the risks presented by the major hazard pipeline to people in the surrounding area so that the risk can be given due weight, when balanced against other relevant planning considerations, in deciding whether to grant planning approval. The HSE have advised against development because the conversion of the Boat Gauging House falls within the inner zone.

Its advice is based on an assessment of the residual risk after all reasonably practicable preventative measures have been taken; the likelihood of an accident, as well as its consequences; the size and nature of the proposed development; and the risk of serious injury. Whilst such hazards are the subject of the requirement of the Health and Safety at Work Act, which includes the provisions for public safety, the HSE still consider that the possibility of a major accident could cause serious consequences for people in the vicinity. They state that the likelihood of such major accidents remains small, but it is nevertheless prudent for the planning process to consider risks to people in the vicinity of the hazardous pipeline.

The HSE's role is an advisory one and it has no power to direct refusal, therefore the final decision to grant or refuse planning permission rests



with the Council. Government Circular 04/00 (Planning Controls for Hazardous Substances) advises that any recommendation of refusal by the HSE should not be overridden without the most careful consideration. Consequently, if the Council is minded to grant planning permission against the HSE's advice, it should give advance notice of that intention, and allow 21 days from that notice for the HSE to decide whether to request the Secretary of State to call-in the application for his own determination. On the other hand, if permission is refused, the HSE would provide the necessary support to the Council at any subsequent appeal.

10.15 Cadent

Cadent have raise similar concerns regarding the proximity of the gas pipeline to the site.

10.16 Employment and Skills

Opportunities for employment and apprenticeships during the construction phase can be conditioned.

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.

11.2 In relation to heritage matters the NPPF states that when determining applications, the local authority should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets by putting them to viable uses with their conservation;
- b) The positive contribution that conservation of the heritage asset can make to sustainable communities including economic vitality; and



- c) The desirability of new development making a positive contribution to local character and distinctiveness.

When considering the above, great weight should be given to the listed building's conservation and the substantial harm that the proposal will have on the heritage asset. In circumstances where there is substantial harm, this should be refused.

When considering the above the key test is whether the conversion of the listed building to residential use, would cause substantial harm. In my opinion, and that of the Conservation Officer, this would not be the case. The internal features of the building have been lost as was concluded by review undertaken by English Heritage in 2011 and therefore it is the external fabric of the building that is of the most significance. In this regard, the restoration makes little change externally and with conditions in relation to materials, it is considered that the building will still read as a boat gauging house, despite its conversion to residential use.

To conclude, I would argue that the regeneration of this site provides economic benefits to the area along with much needed homes and that the proposed development would not cause substantial harm to the heritage asset or the setting of the conservation area.

12. Local Planning Policy

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

DEL1: Infrastructure Provision

CSP4: Place Making

HOU1: Delivering Sustainable Housing Growth

HOU2: Housing Density, Type and Accessibility

HOU3: Delivering Affordable Housing

ENV1: Nature Conservation

ENV2: Historic Character and Local Distinctiveness

ENV3: Design Quality



ENV5: Flood Risk, Sustainable Drainage System and Urban Heat Island Effect

ENV7: Renewable Energy

ENV8: Air Quality

TRAN2: Managing Transport Impacts of New Development

TRAN4: Creating Coherent Networks for Cycling and for Walking

EMP5: Improving Access to the Labour Market

SAD H3: Affordable Housing

SAD HE1: Listed Buildings

SAD HE2: Conservation Areas

SAD EMP2: Training and Recruitment

SAD EOS9: Urban Design Principles

SAD DC6: Land Affected by Contaminants, Ground Instability, Mining Legacy, Land of Unsatisfactory Load Bearing Capacity or Other Constraints

- 12.2 DEL 1 expects development to provide suitable on and off-site infrastructure, in this case, off site works will include improvements to the signals at Factory Road along with junction improvements and improved pedestrian and cycle connections to the canal. On site works, would include electric charging and Low NOx boilers. In addition, the site is liable for the Community Infrastructure Levy.
- 12.3 In respect of CSP4, it is accepted that the site was a former industrial site, but this has been vacant for many years and the redundant use of the land does not make a positive contribution to the area. The introduction of a new residential scheme would regenerate the area. The design and layout have been questioned, however it is considered that the approach of residential blocks is more reflective of its industrial heritage.
- 12.4 HOU1: sets targets for Sandwell to meet the supply of new homes which at present there is a shortfall. This proposal will assist in providing additional homes to meet this shortfall.



- 12.5 HOU2: refers to new housing being of good design, meeting local needs and good accessibility. The scheme is considered to be of good design, is well located to Tipton Town Centre and good public transport connections.
- 12.6 Affordable housing provisions is required given that the site provides more than 15 units, however a viability assessment has been carried out and reviewed (HOU3 and SADH3). The assessment has demonstrated that due to constraints on site in relation to intrusive coal mining/adverse ground conditions, the site would not be viable for affordable housing.
- 12.7 The site abuts a Site of Local Importance for Nature Conservation (SLINC) and Wildlife Corridor (the canal). ENV1 expects details of appropriately located and scaled contributions to the natural environment to accompany a planning application. In this instance, the existing site is all hardstanding, the proposed scheme incorporates soft landscaping and does not impact on the canal existing canal corridor.
- 12.8 ENV2, SADD HE1 and HE2, all relate to the historic environment, these policies expect development to preserve and enhance local character and the significance of the listed building. This site is unusual in that it has been vacant for many years despite its past industrial heritage. The scheme as proposed introduced scheme of considerable scale which reflects the bulk of previous industrial buildings on the site and addresses the canal frontage which contributes to the conservation area. Turning to the conversion of the listed building, the internals have been lost and hence the sensitive restoration of the building and a new use will ensure the longevity of this historic building.
- 12.9 The design of the blocks is of good quality, using a mix of materials that will reflect the local vernacular of the area (Policy ENV3 and SAD EOS 9). The flats provide good quality amenity space, through the introduction of balconies and meet internal space and parking standards.



- 12.10 A drainage strategy has been agreed with the LLFA which can be conditioned to ensure implementation and future maintenance (Policy ENV5)
- 12.11 An energy statement can be conditioned to comply with Policy ENV7.
- 12.12 In respect of air quality (ENV8), the applicant has shown electric vehicle charging points on plan and these would be ensured by condition, as well as the provision of low NOx boilers by condition.
- 12.13 The scheme has been designed to provide highway improvements, new access and a signal control, which will manage the impact of the development onto Factory Road (TRAN2).
- 12.14 Secure cycling parking is provided within the scheme along with footpaths to provide safe routes for pedestrians along with conditions to provide future connections onto the canal (TRAN4).
- 12.15 A skills and employment plan has identified opportunities for employment and apprenticeships during the construction phases which can be conditioned accordingly (EMP5 and SAD EMP 2)
- 12.16 This policy (SAD DC 6) refers to contamination and land stability as such conditions should be imposed to ensure that appropriate works are carried out. In relation to the integrity of the canal, conditions can be imposed to ensure that boundary treatments are conditioned and informatives included on the planning consent to ensure that the applicant liaises with the Canal and River Trust in relation to the foundation work adjacent to the canal.

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:



13.3 Planning history

This scheme is slightly higher in density (11 additional units) but the footprint of these blocks and restoration of the listed building has been granted approval on two other occasions, (2007 and 2011).

Furthermore, despite objections from the HSE, on both these occasions they were not called in for a decision by the Secretary of State. In my opinion, there is no great risk than with the previous consents.

13.4 Overlooking/loss of privacy

The scheme has been set back from the boundaries of the site facing towards Beaumont Close, and the tree screen remains between the two sites. Furthermore, the separation distances are 37 metres from the three storey block and 60 metres from the four storey block, which exceed the 27.5 metres for three-storey in the design guidance. Whilst there is no standard in the residential design guide for four storey development, a separation of distance of 60 metres more than exceeds the standards for three storeys.

13.5 Loss of light and/or outlook

The separation distances referred to above, combined with the existing tree screen would not result in a loss of outlook/light.

13.6 Overbearing nature of proposal

The scheme has been designed with a mix of roof heights to lessen the massing of the building along with the shape of the footprints themselves. This, combined with the points raised in 13.4 and 13.5 above, would ensure that the site would not look imposing when viewed from Beaumont Close.

13.7 Layout and density of building



As referred to above in 12.8 and 12.9, the layout is appropriate to the context of this site.

13.8 Design, appearance and materials

Concerns have been raised about the quality of the materials, this will be critical to ensure a successful development and restoration of the listed building. These can be conditioned.

13.9 Planning balance

It is acknowledged, that there are reservations as to whether the proposed design is appropriate to the setting of conservation and listed building and that the site should reflect its industrial heritage. The key issue with this site is that it has been vacant for many years and this does nothing to enhance the setting of the conservation area. The lack of use of the listed building has resulted in the site falling into further disrepair, which will continue without a new use/restoration. This needs to be seen in context to the opportunity this development provides for much needed new homes in Sandwell. I would therefore argue that the benefits of delivering a new housing scheme and restoring the listed building outweighs concerns regarding design, and the development is preferable to leaving the listed building and the wider site to further decay.

14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. For example, if members consider that the harm to the listed building and the wider setting of the canal and conservation area would occur because of this development.

15 Implications



Resources:	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.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None / Refer to the summary of the report (2.1).
Social Value	Opportunities for to jobs and apprenticeships can be achieved as part of the construction process.

16. Appendices

Site Plan

Context Plan

BDBC/21/20-01 Rev F

BDBC/21/20-02 Rev B

BDBC/21/20-03 Rev B

BDBC/21/20-04 Rev D

BDBC/21/20-05 Rev C

BDBC/21/20-06 Rev B

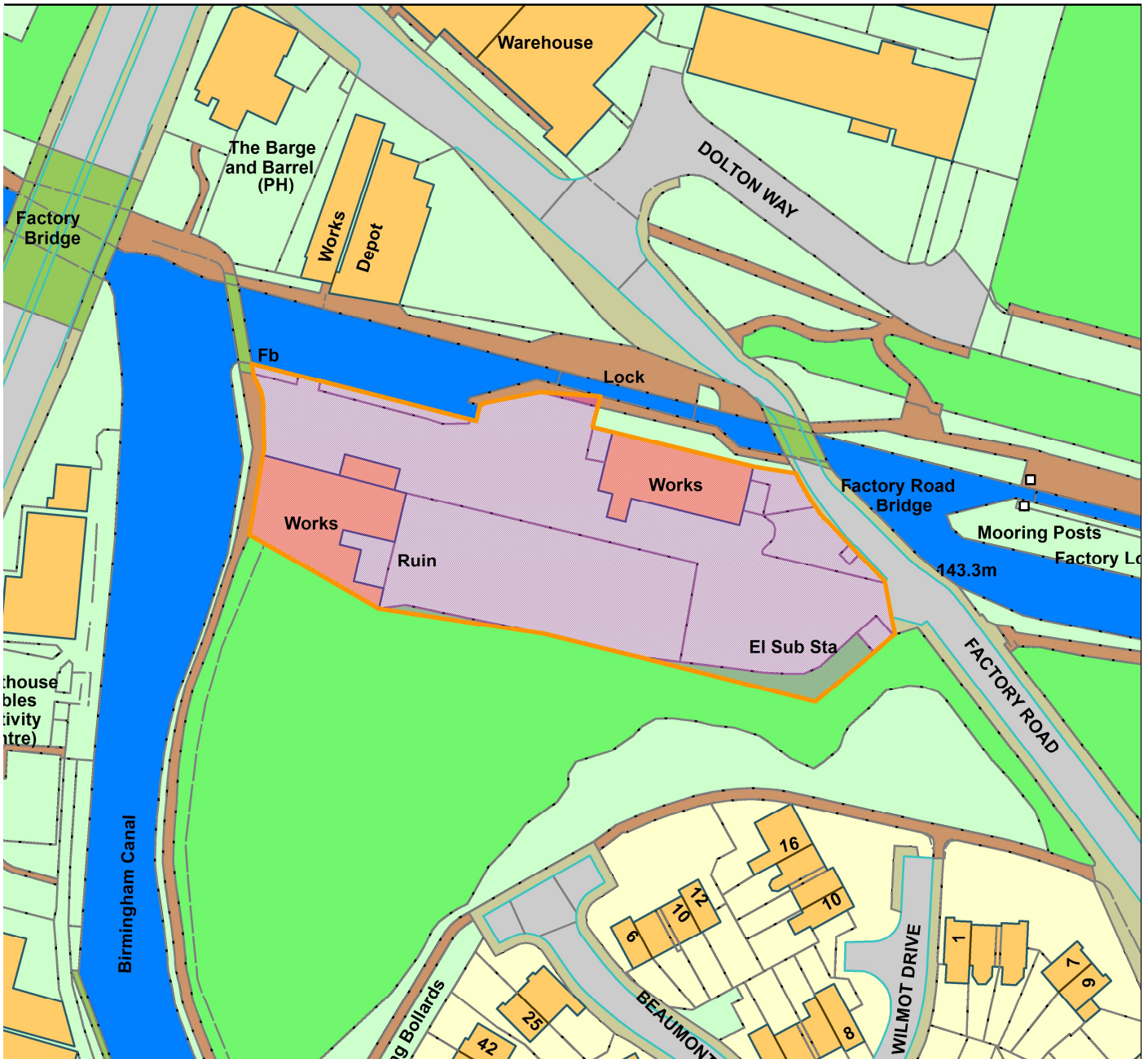
BDBC/21/20-07 Rev F

BDBC/21/20-09 Rev B

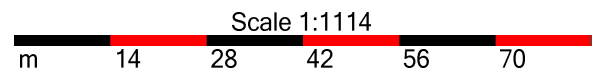


DC/21/65872

Land Adjacent To The Boat Gouging House, Factory Road

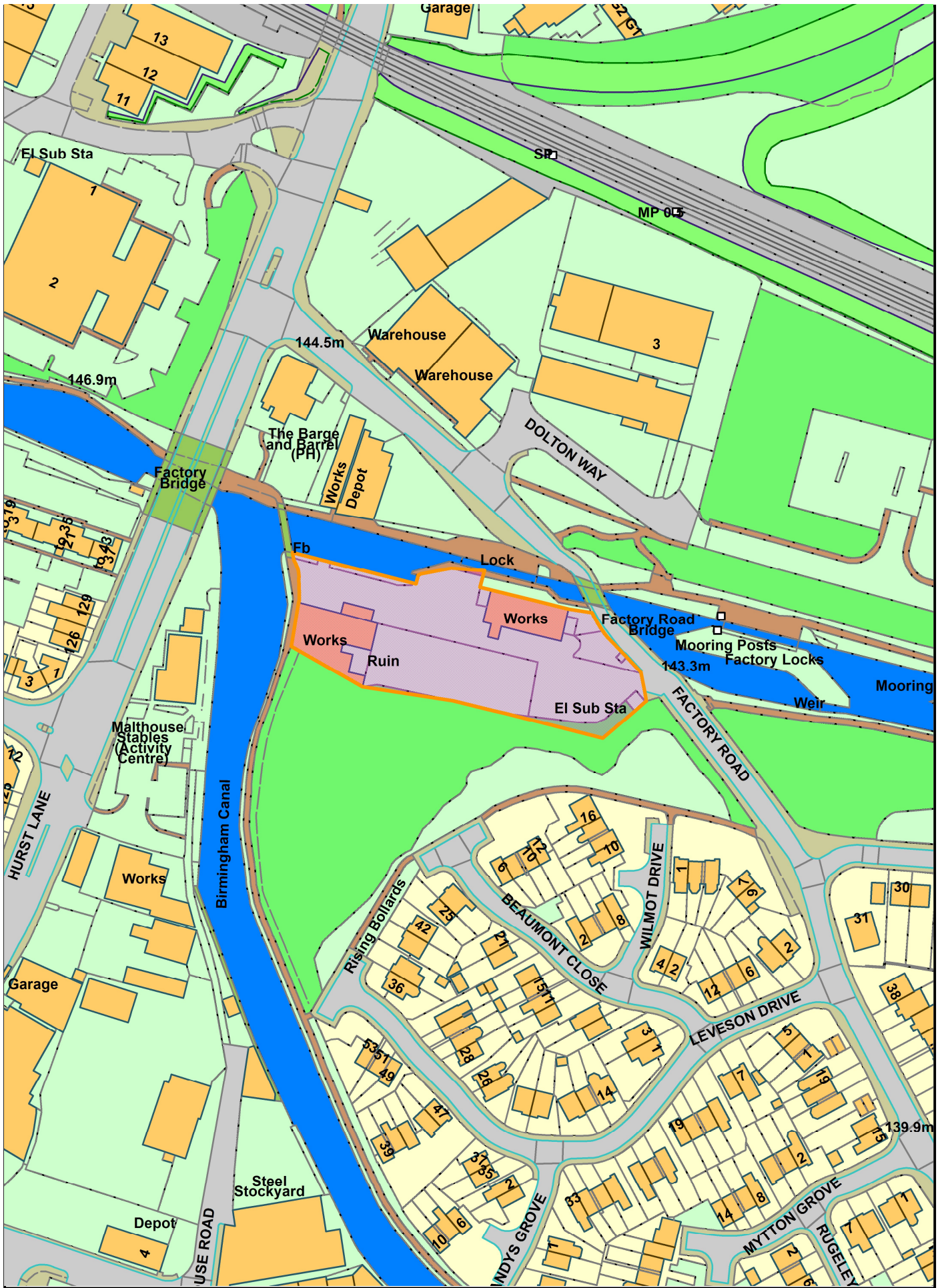


Legend

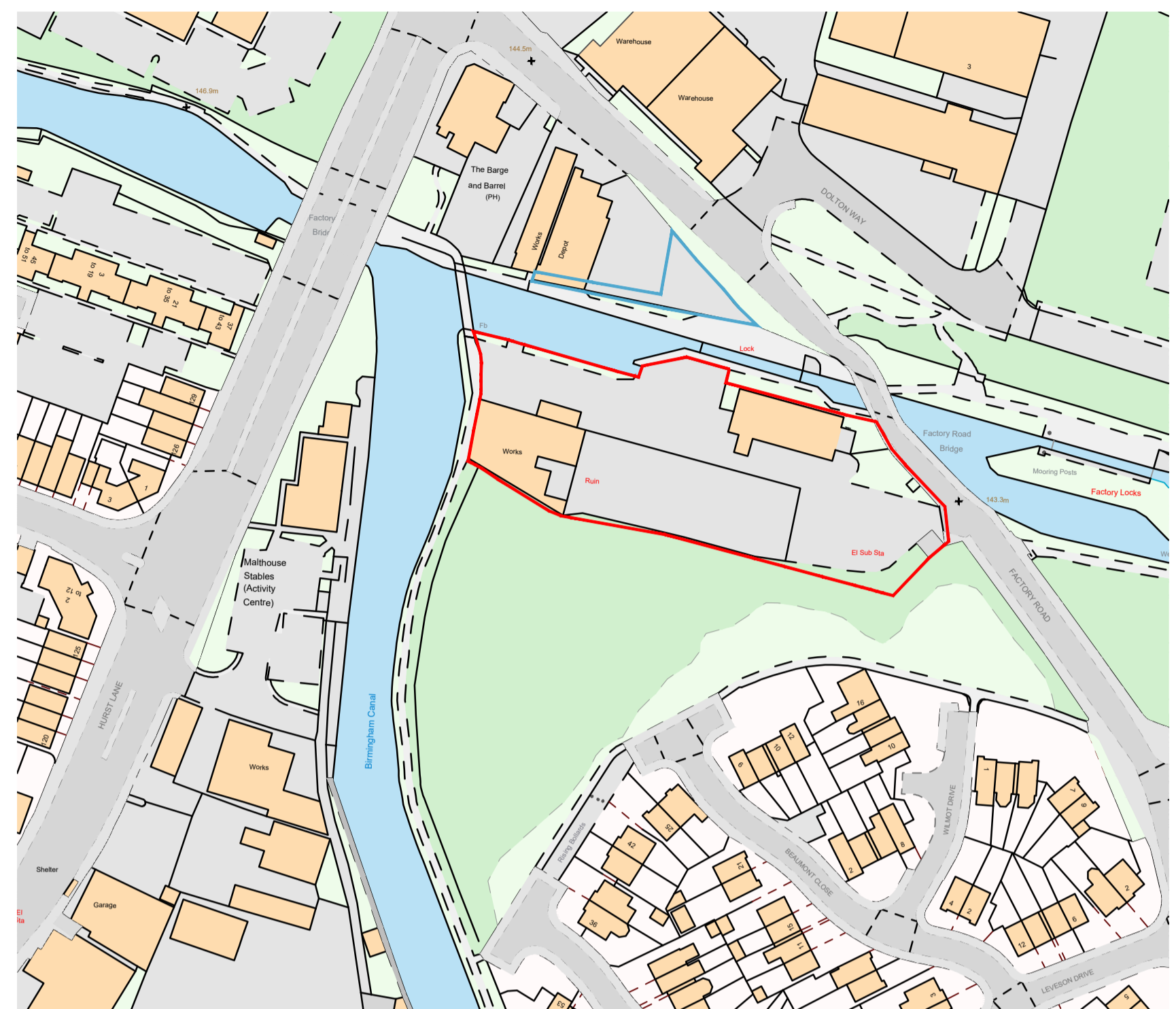


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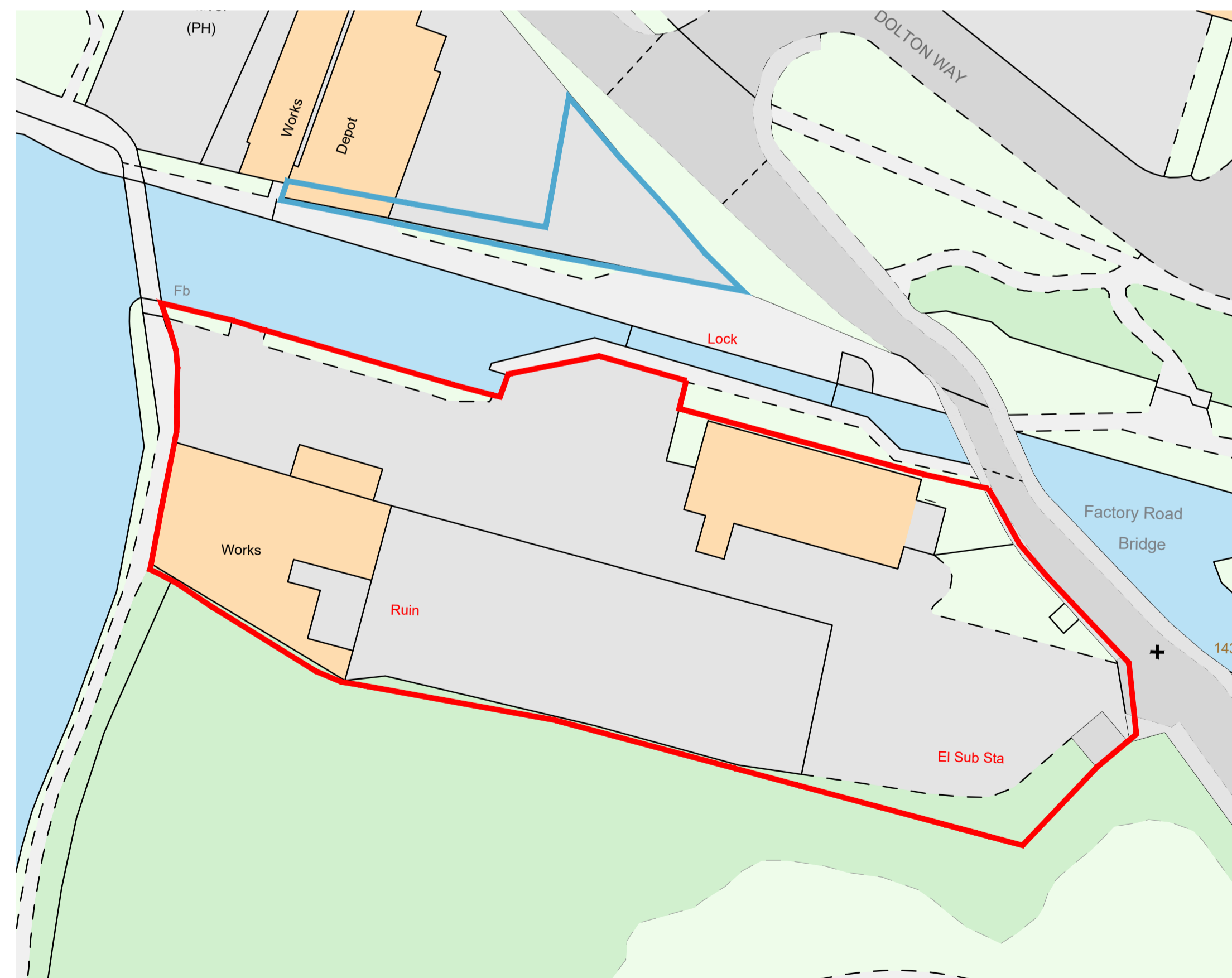
Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	24 February 2022
OS Licence No	



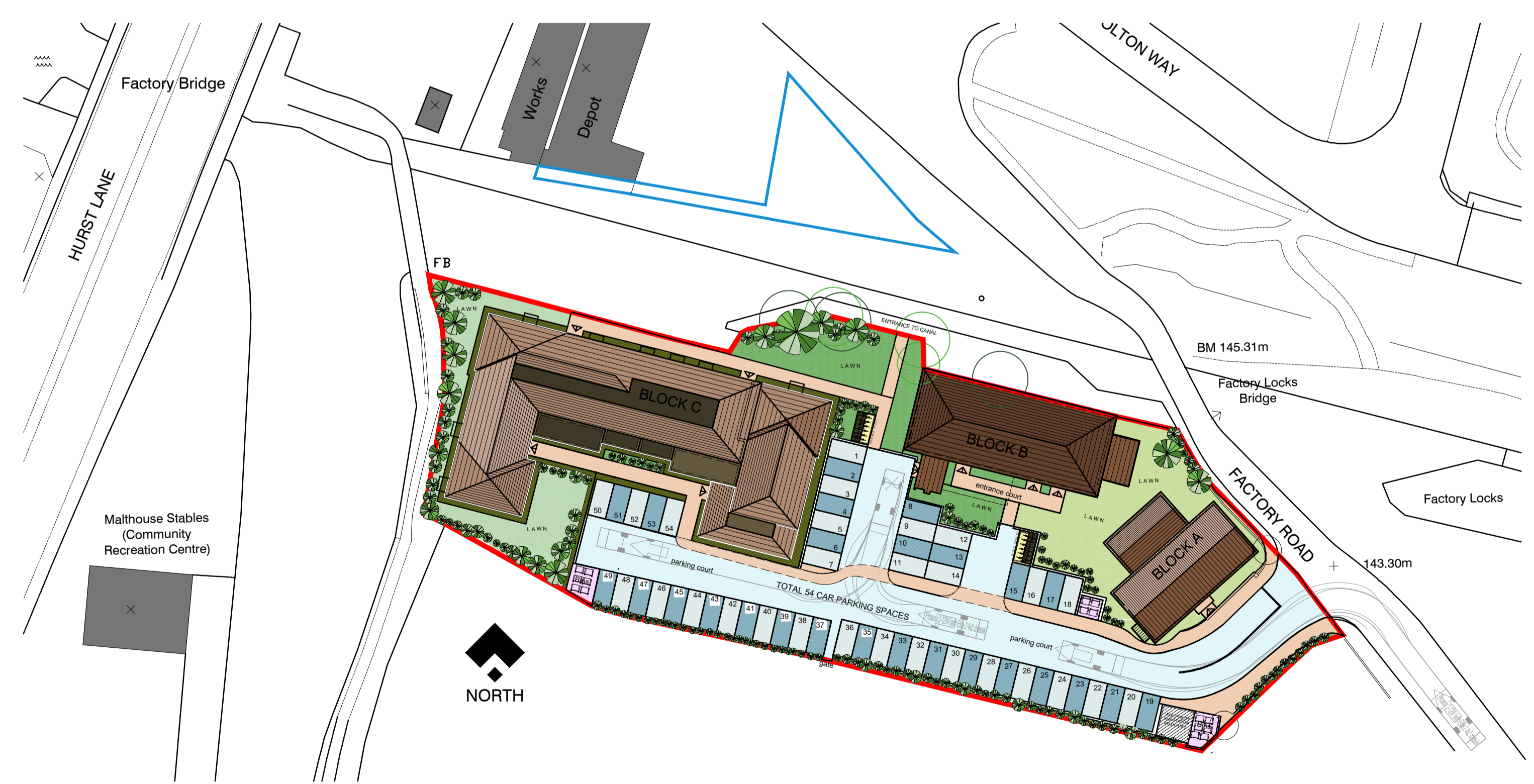
ALL DIMENSIONS TO BE CHECKED ON SITE



LOCATION PLAN SCALE : 1:1250



EXISTING SITE PLAN SCALE : 1:500



PROPOSED SITE PLAN SCALE : 1:500

76 POPLAR AVENUE, EDGBASTON, BIRMINGHAM, WEST MIDLANDS, UNITED KINGDOM, B17 8ES
Company No. 09604514, VAT No. 215 7148 19 - Tel: 01214296631, Mob. 07968064413 - Email: info@bharya.co.uk

Site: Factory Locks, Factory Road, Tipton, West Midland
Client: Taylor Grange Developments Ltd.
Date: Mar-21
Proposed: Proposed refurbishment of existing listed building & erection of two new build apartment blocks comprising of 50 apartments in total.

BLOCK - A

Apt.	A1	A2	A3	GIA	Comms	Net	Gross	1 Bed	2 Bed	Studios	Total
Ground	66.3	55	50.8	172.1	19.1	191.2	217.6	2	1		3
	2B3P	1B3P	1B3P								
Apt.	A4	A5	A6								
1st Floor	66.3	55	50.8	172.1	19.1	191.2	217.6	2	1		3
	2B3P	1B3P	1B3P								
Apt.	A7	A8		117.5	19.5	137	161	1	1		2
2nd Floor	66.3	51.2		117.5	19.5	137	161	1	1		2
	2B3P	1B3P									
Apt.	A9	A10		83.4	8.6	92	112.4			2	2
3rd Floor	42.7	40.7		83.4	8.6	92	112.4			2	2
	Studio	Studio									
Total				545	66.3	611.3	708.6	5	3	2	10

BLOCK - B

Apt.	B1	B2	B3	B4	Net	Gross	2 Beds	Total
Ground	75.5	63	62.8	82.9	284.2	331.8	4	4
1st Floor	62.5	62.3	62.2	63.5	250.5	293		
	2B4P	2B4P	2B4P	2B4P				
Total	138	125.3	125	146.4	534.7	624.8	4	4

BLOCK - C

Apt.	C1	C2	C3	C4	C5	C6	C7	C8	C9	C10	GIA	Comms	Net	Gross	1 Bed	2 Bed	Total
Ground	66	66	74.7	52.7	53.2	53.2	52.7	74.7	66	51	610.2	132.9	743.1	842	5	5	10
	2B3P	2B3P	2B4P	1B3P	1B3P	1B3P	1B3P	2B4P	2B3P	1B3P							
Apt.	C11	C12	C13	C14	C15	C16	C17	C18	C19	C20							
1st Floor	66	66	74.7	69.8	53.2	69.8	74.7	66	65.2	65.8	658.6	89.4	748	842	2	8	10
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P	2B4P	2B3P	2B3P							
Apt.	C21	C22	C23	C24	C25	C26	C27	C28	C29								
2nd Floor	66	66	74.7	69.8	53.2	69.8	74.7	66			593.4	97.6	691	778.4	2	7	9
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P	2B4P	2B3P								
Apt.	C30	C31	C32	C33	C34	C35	C36										
3rd Floor	66	66	74.7	69.8	53.2	69.8					452.7	83.7	536.4	608.9	2	5	7
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P										
Total											2,314.90	403.6	2,718.50	3,071.30	11	25	36

SUMMARY

Apt.	1 Bed	2 Beds	Studios	Net	Gross	Total
Block - A	5	3	2	611.3	708.6	10
Block - B	0	4	0	534.7	624.8	4
Block - C	11	25	0	2,718.50	3,071.30	36
Total	16	32	2	3,864.50	4,404.70	50

Rev - D - Site Plan Amended - parking numbers reduced to 54 - 05-01-22
Rev - E - Site Plan Amended - footpath, bins parking arrangement amended by Block C - 01-03-22



P L A N N I N G

Date March 2021	Drawn DsB	Scale 1:100, 1:500 @ A1
Preliminary ●	Construction ○	Revisions

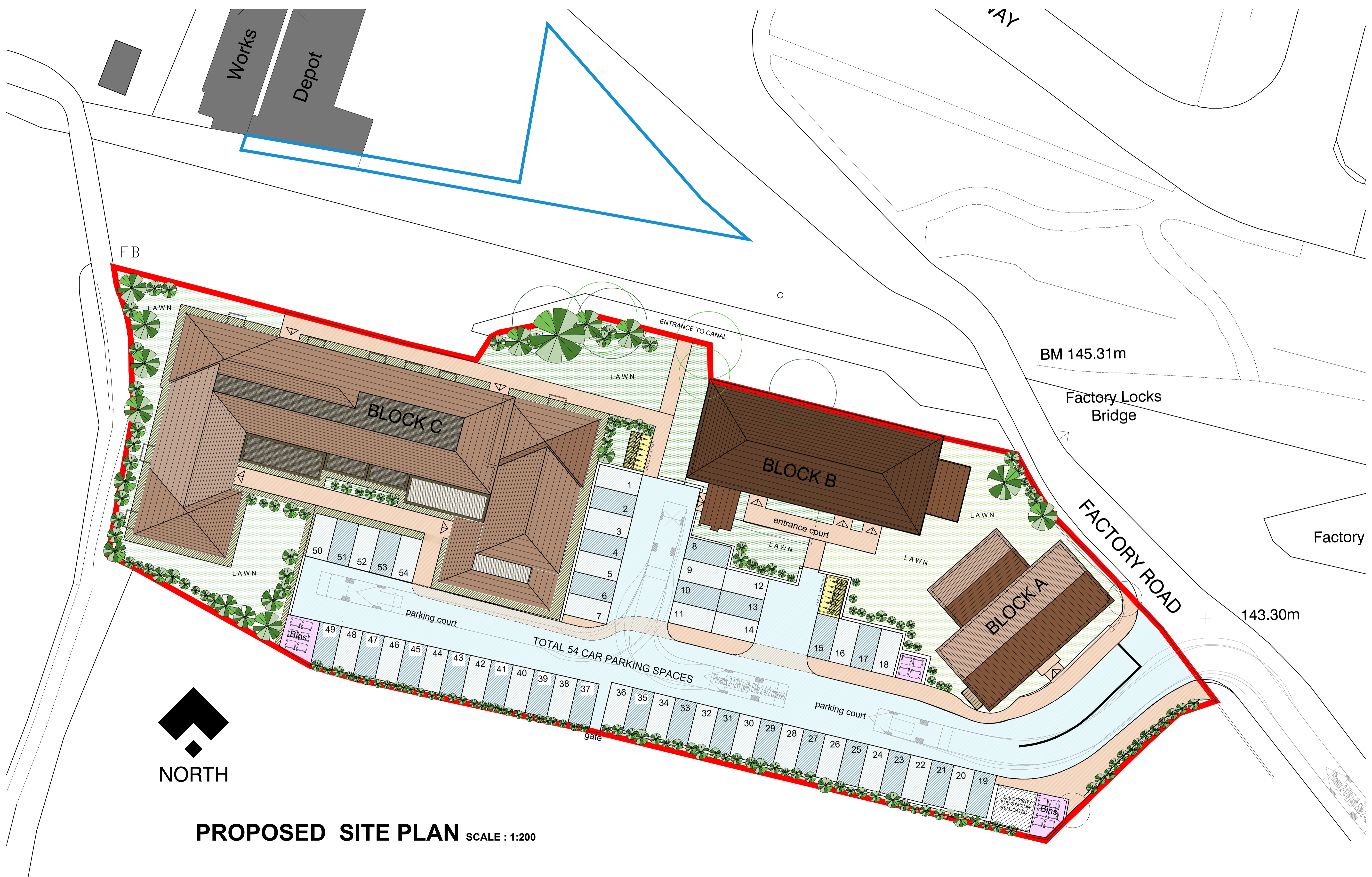
DRAWINGS AND LAYOUT IS INDICATIVE ONLY ALL DIMENSIONS AND DRAINAGE TO BE CHECKED ON SITE BY CLIENTS APPOINTED CONTRACTORS BUILDING INSPECTOR MUST CALLED OUT TO INSPECT THE BUILDING WORK IN STAGES. ALL STRUCTURAL DESIGN TO BE DESIGN BY STRUCTURAL ENGINEER. ALL WORKS ARE DONE AT YOUR OWN RISK RELEVANT PERMISSIONS IN PLACE. ALL WORKS ON OR WITHIN A 3 MTR ZONE OF A NEIGHBORING BOUNDARY ARE TO BE NOTIFIED 14 DAYS BEFORE COMMENCEMENT ON SITE IN ACCORDANCE WITH THE PARTY WALL ACT 1996.

Client Taylor Grange Developments
Job title Proposed Redevelopment of listed building and erection of New build Apartments
Drawing title Existing/Proposed Site & Location Plans
Drawing No. BDBC/21/20 - 01F

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BHARYA DESIGN & BUILD CONSULTANCY LTD.
ARCHITECTURAL, BUILDING & CIVIL ENGINEERING CONSULTANTS

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Tel./Fax: 0121 429 6631
Mob. 0796 8064 413
Web: www.bharya.co.uk
e-mail: info@bharya.co.uk

FACTORY LOCKS - TIPTON



PROPOSED SITE PLAN SCALE : 1:200

Rev - D - Site Plan Amended - parking numbers reduced to 54 - 05-01-22
 Rev - E - Site Plan Amended - footpath, bins parking arrangement amended by Block C - 01-03-22

PLANNING

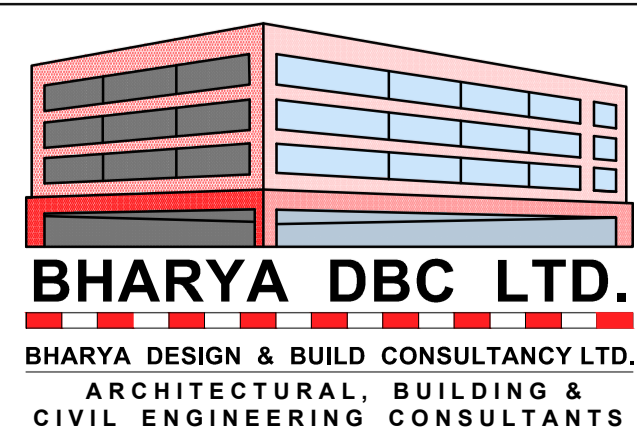
DRAWINGS AND LAYOUT IS INDICATIVE ONLY ALL DIMENSIONS AND DRAINAGE TO BE CHECKED ON SITE BY CLIENTS APPOINTED CONTRACTORS BUILDING INSPECTOR MUST CALLED OUT TO INSPECT THE BUILDING WORK IN STAGES. ALL STRUCTURAL DESIGN TO BE DESIGN BY STRUCTURAL ENGINEER. ALL WORKS ARE DONE AT YOUR OWN RISK RELEVANT PERMISSIONS IN PLACE. ALL WORKS ON OR WITHIN A 3 MTR ZONE OF A NEIGHBORING BOUNDARY ARE TO BE NOTIFIED 14 DAYS BEFORE COMMENCEMENT ON SITE IN ACCORDANCE WITH THE PARTY WALL ACT 1996.



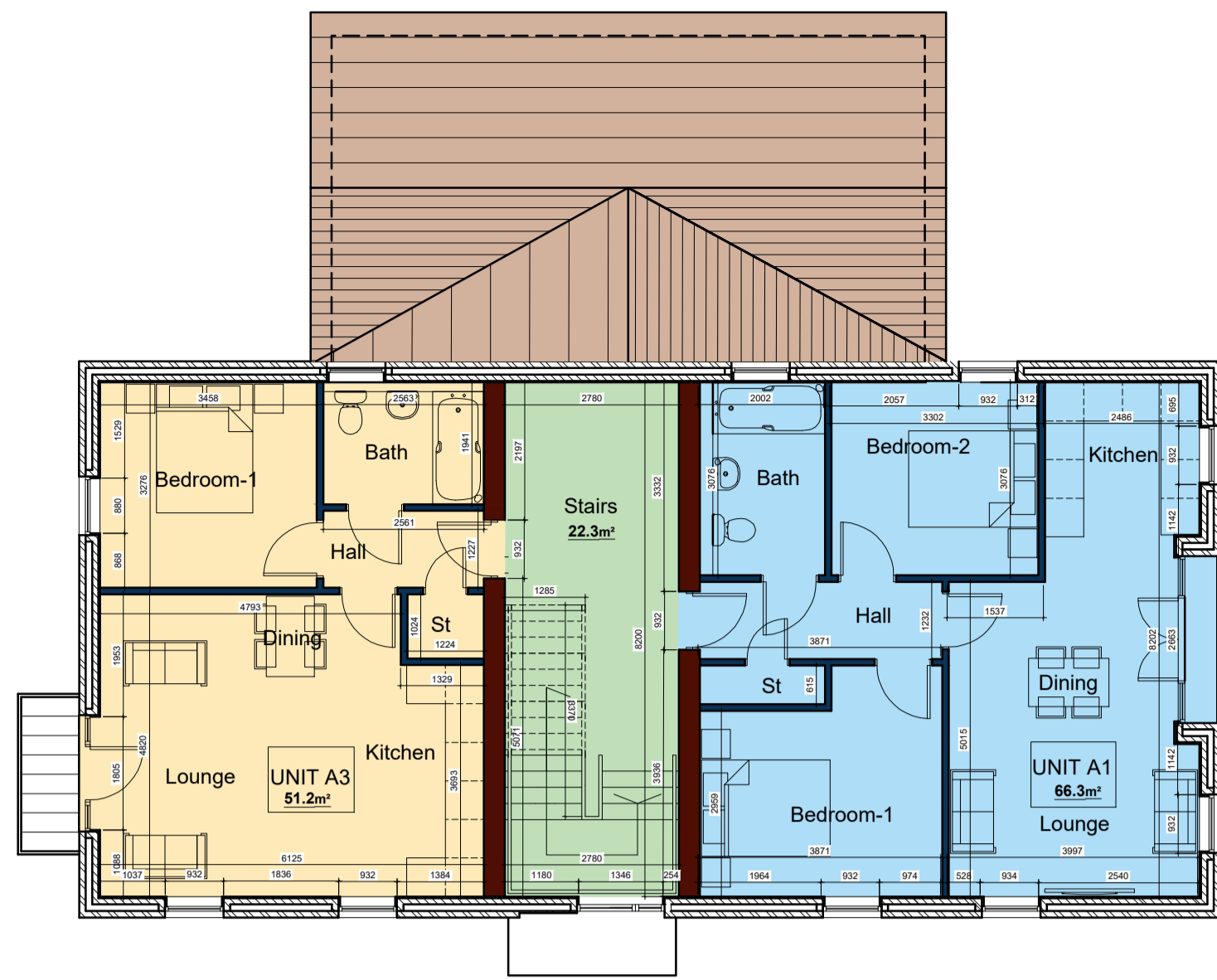
Date March 2021	Drawn DsB	Scale 1:200 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
 Job title Proposed Redevelopment of listed building and erection of New build Apartments

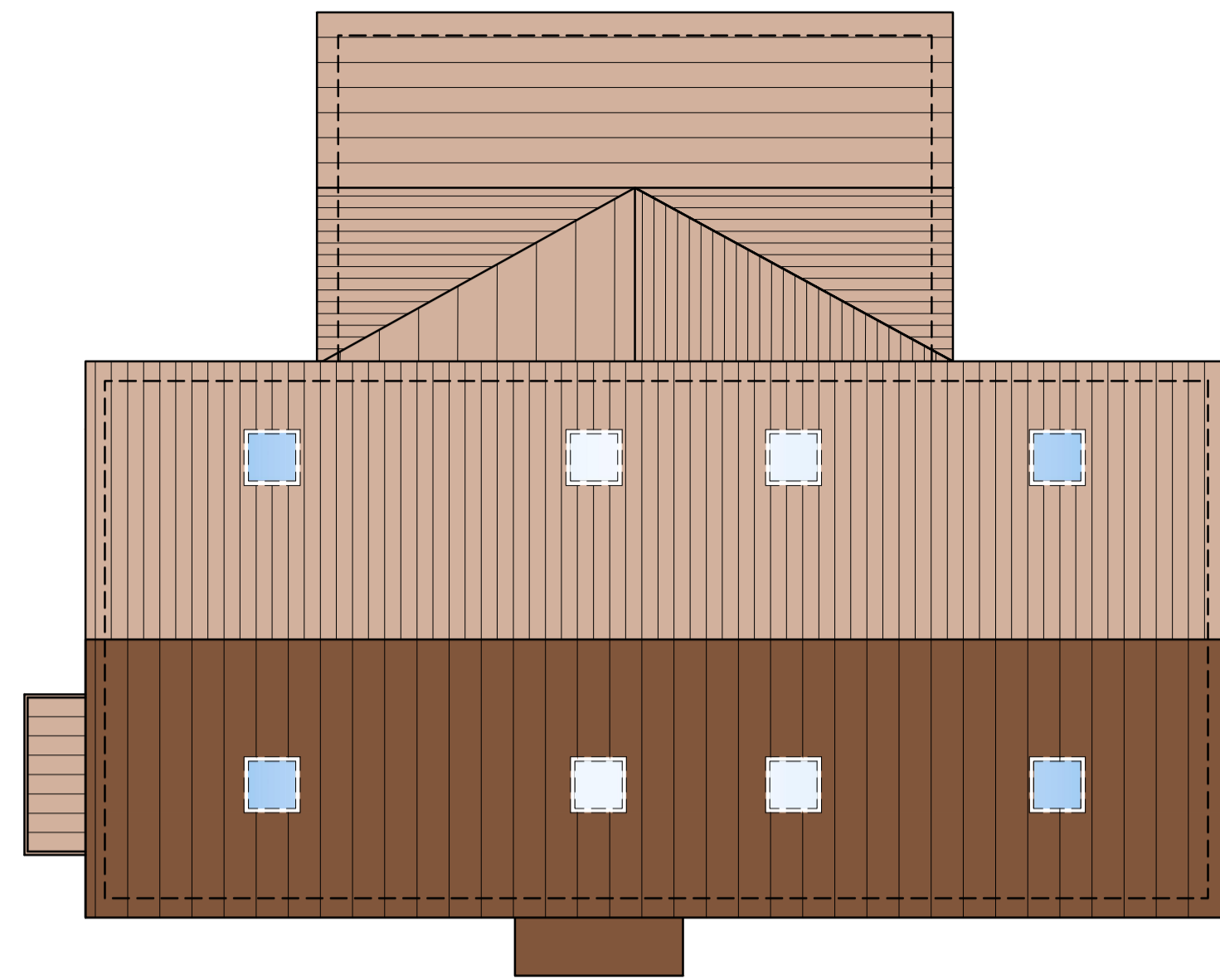
Drawing title Proposed Site Plan
 Drawing No. BDBC/21/20 - 07F



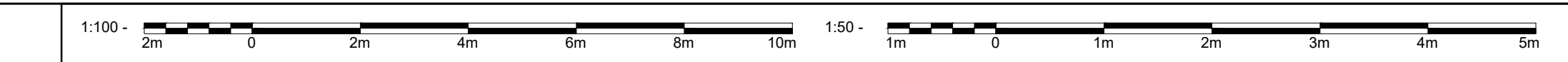
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 e-mail: info@bharya.co.uk



PROPOSED SECOND FLOOR PLAN



PROPOSED ROOF PLAN



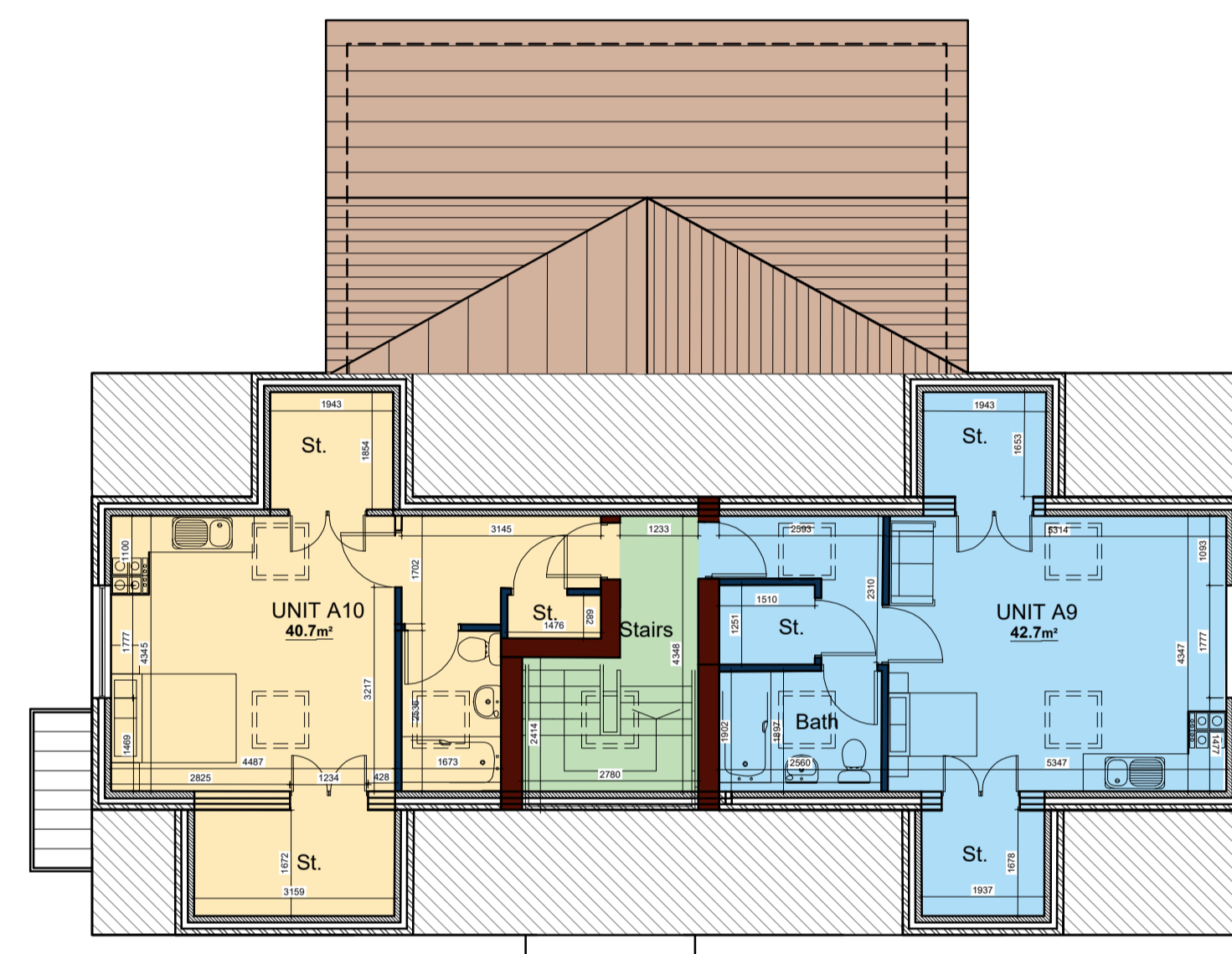
B L O C K - A ALL DIMENSIONS TO BE CHECKED ON SITE



PROPOSED FRONT ELEVATION - SCALE 1:100



PROPOSED FIRST FLOOR PLAN



PROPOSED THIRD FLOOR PLAN



PROPOSED REAR ELEVATION - SCALE 1:100



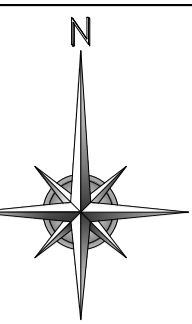
PROPOSED GROUND FLOOR PLAN



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION



**F A C T O R Y
L O C K S
-
T I P T O N**

Rev - A - Arch feature introduced to side elevation - 05-01-22

P L A N N I N G

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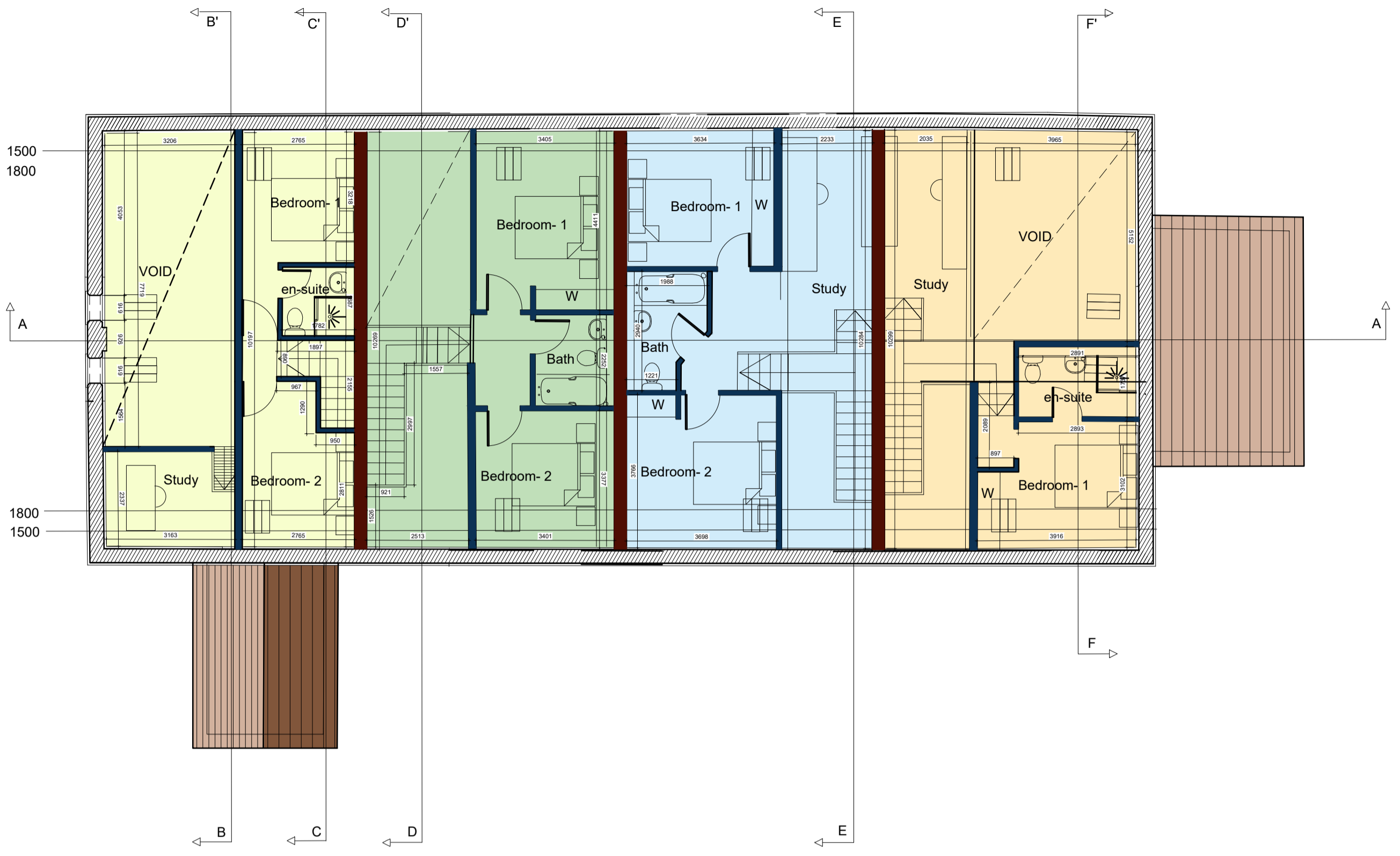
Date March 2021	Drawn DsB	Scale 1:100, 1:50 @ A1
Preliminary ●	Construction ○	Revisions

Client	Taylor Grange Developments
Job title	Proposed Redevelopment of listed building and erection of New build Apartments

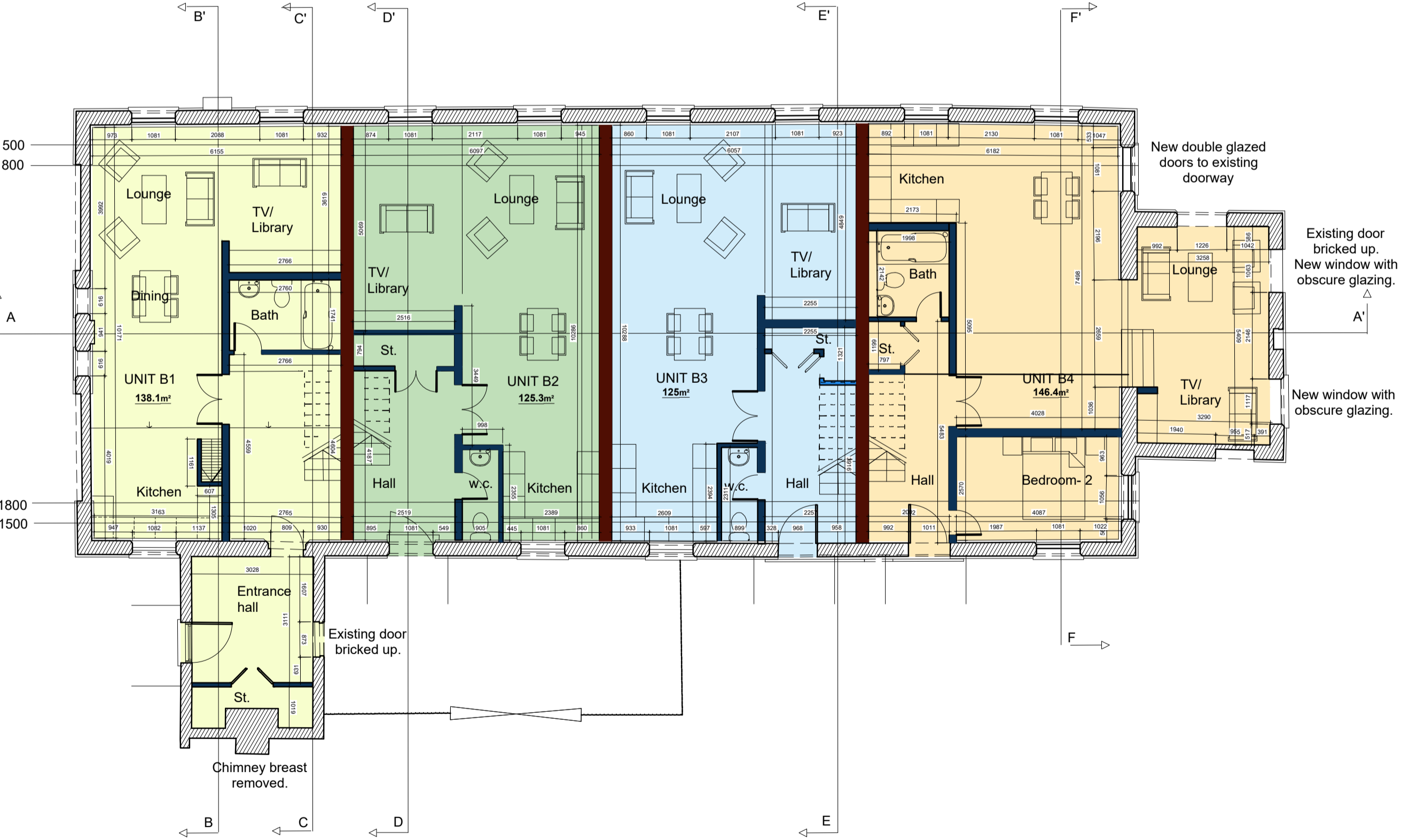
Drawing title	Existing/Proposed Floor Plans & Elevations - BLOCK - A
Drawing No.	BDBC/21/20 - 02B

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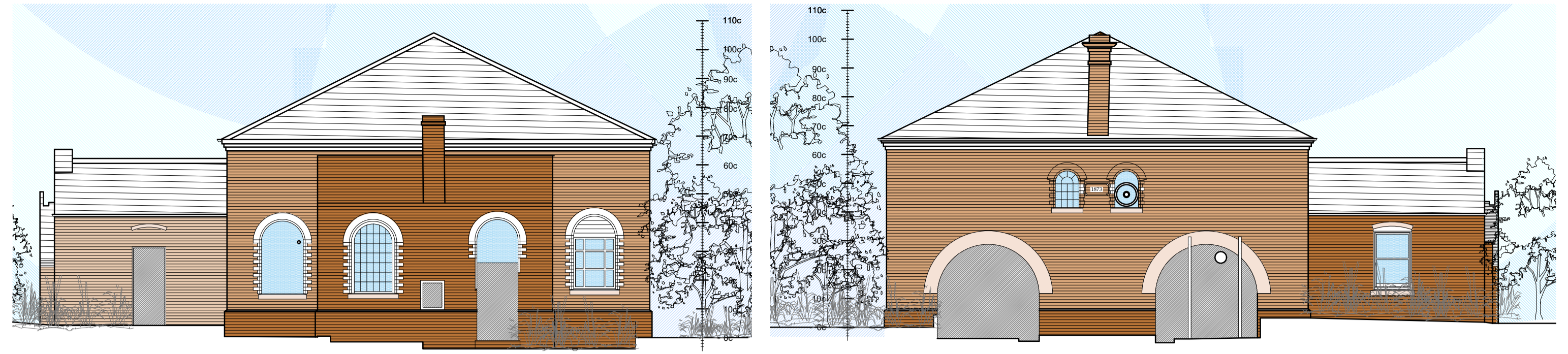
BLOCK - B ALL DIMENSIONS TO BE CHECKED ON SITE



PROPOSED FIRST FLOOR PLAN - SCALE 1:100



PROPOSED GROUND FLOOR PLAN - SCALE 1:100



PROPOSED SIDE ELEVATION **PROPOSED SIDE ELEVATION**



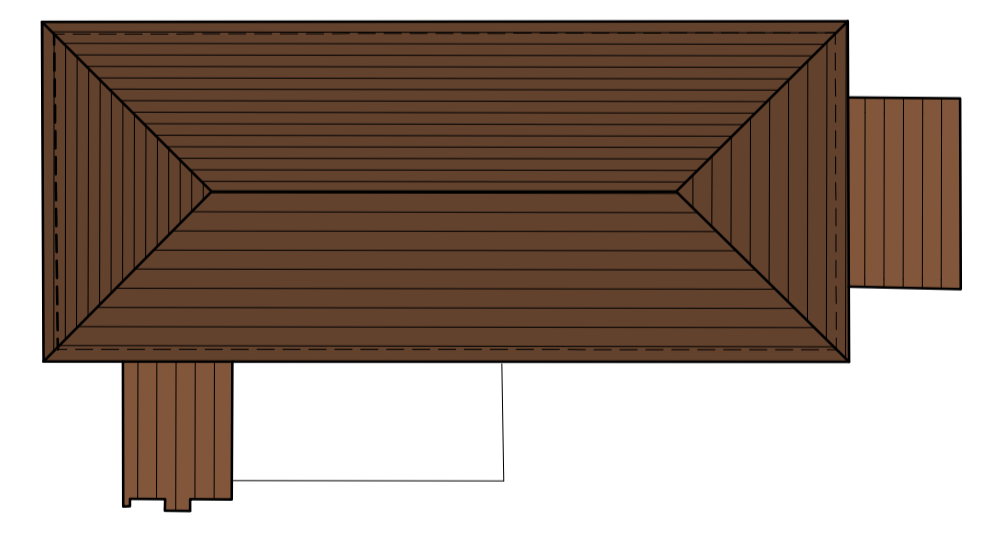
PROPOSED FRONT ELEVATION



PROPOSED FRONT ELEVATION



EXISTING FLOOR PLAN



ROOF PLAN

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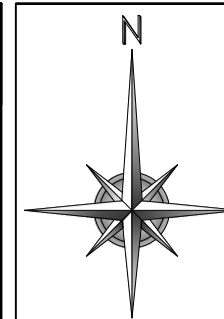
Date Feb. 2021	Drawn DsB	Scale 1:100, 1:50 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
 Job title Proposed Redevelopment of listed building and erection of New build Apartments

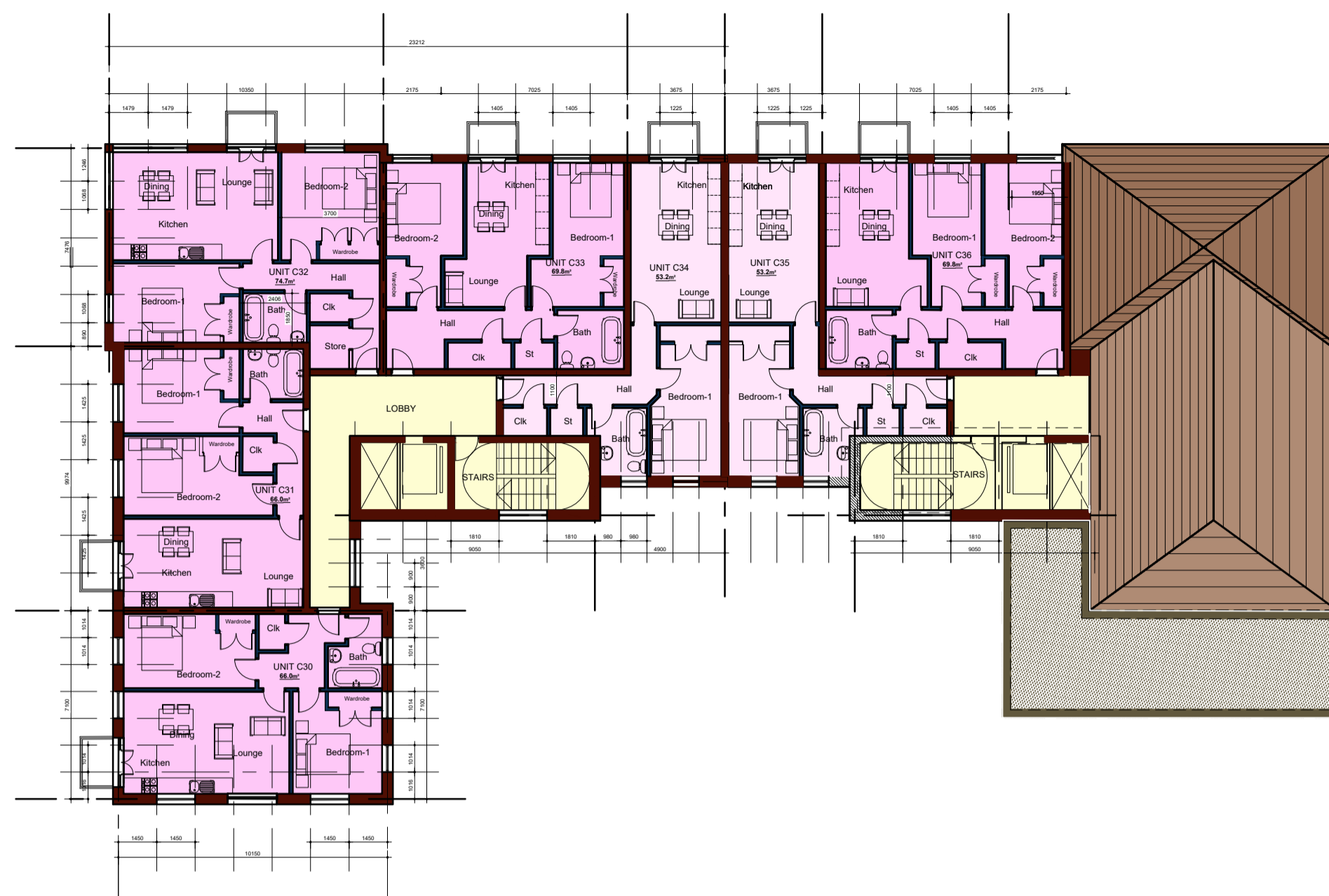
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 Drawing No. BDBC/21/20 - 03A

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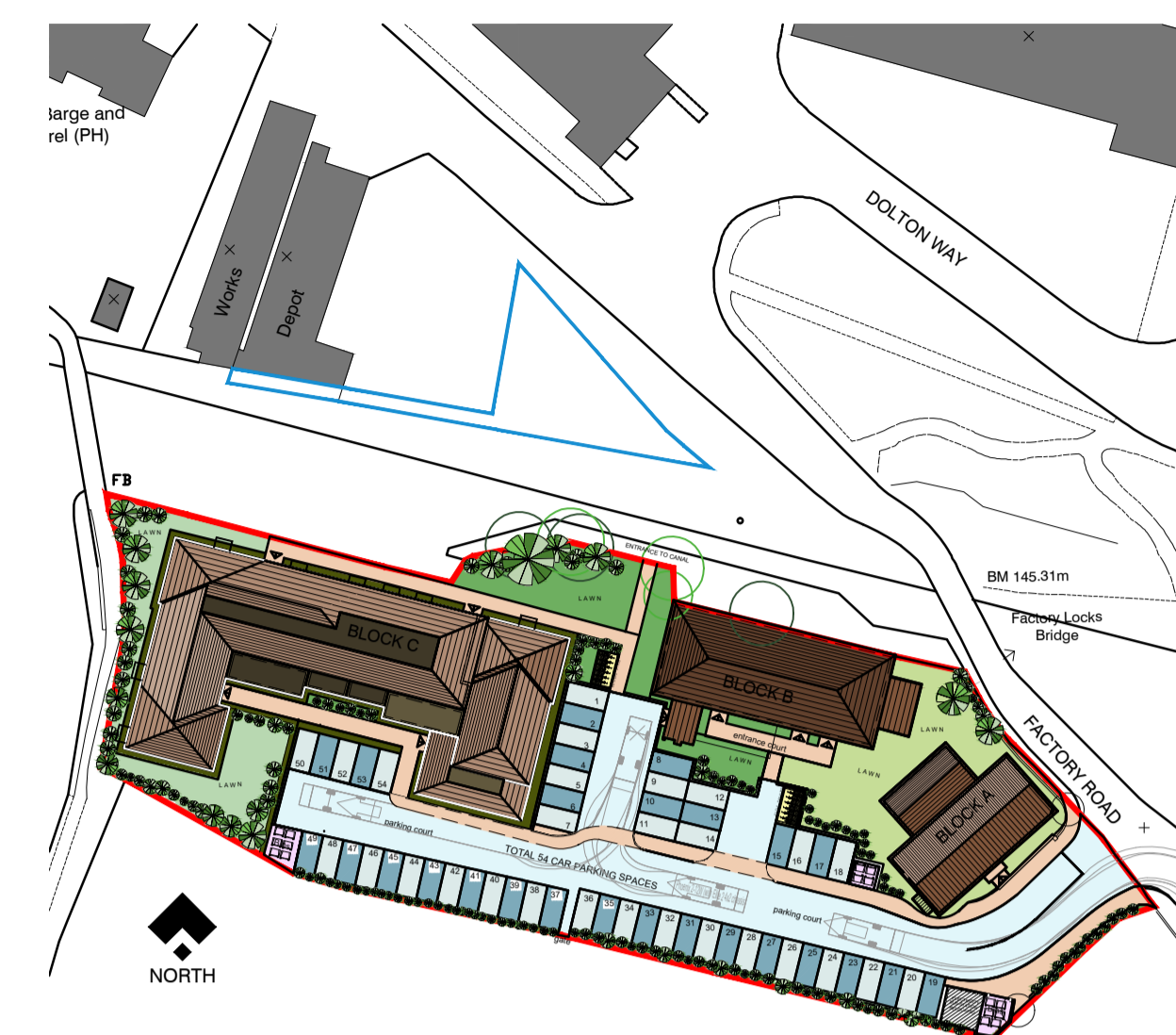
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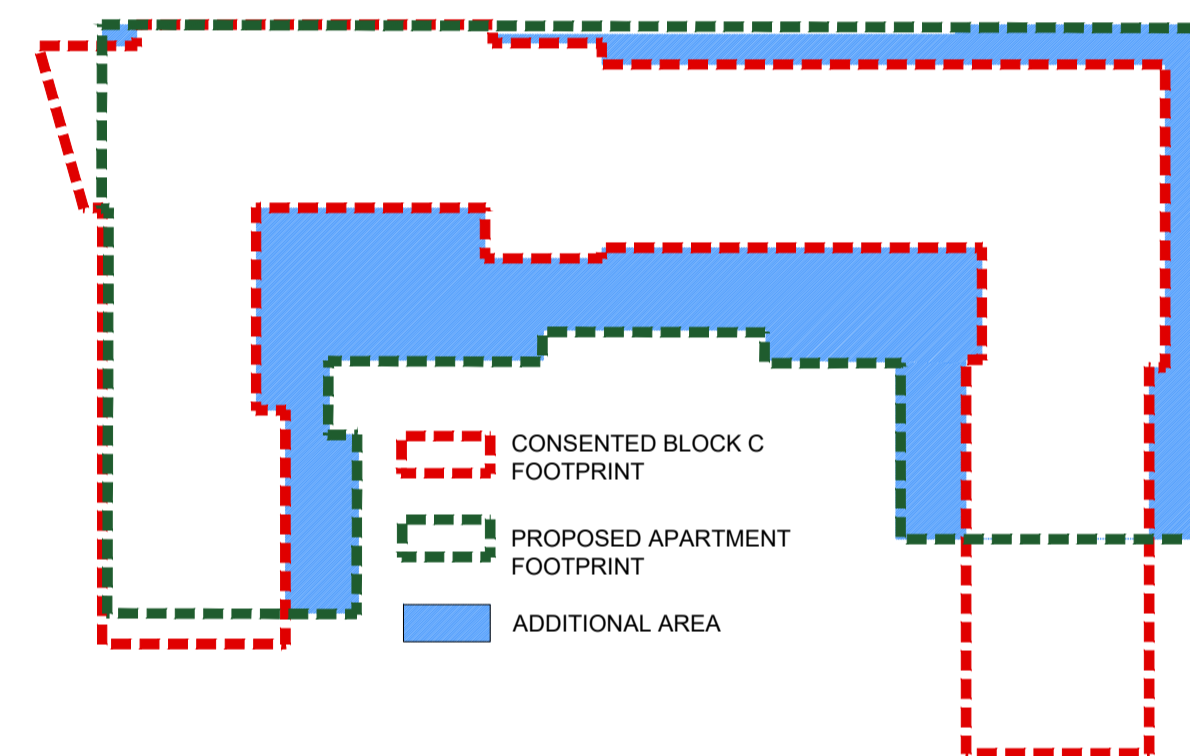
PROPOSED FIRST FLOOR PLAN



PROPOSED THIRD FLOOR PLAN



PROPOSED SITE PLAN
SCALE n.t.s



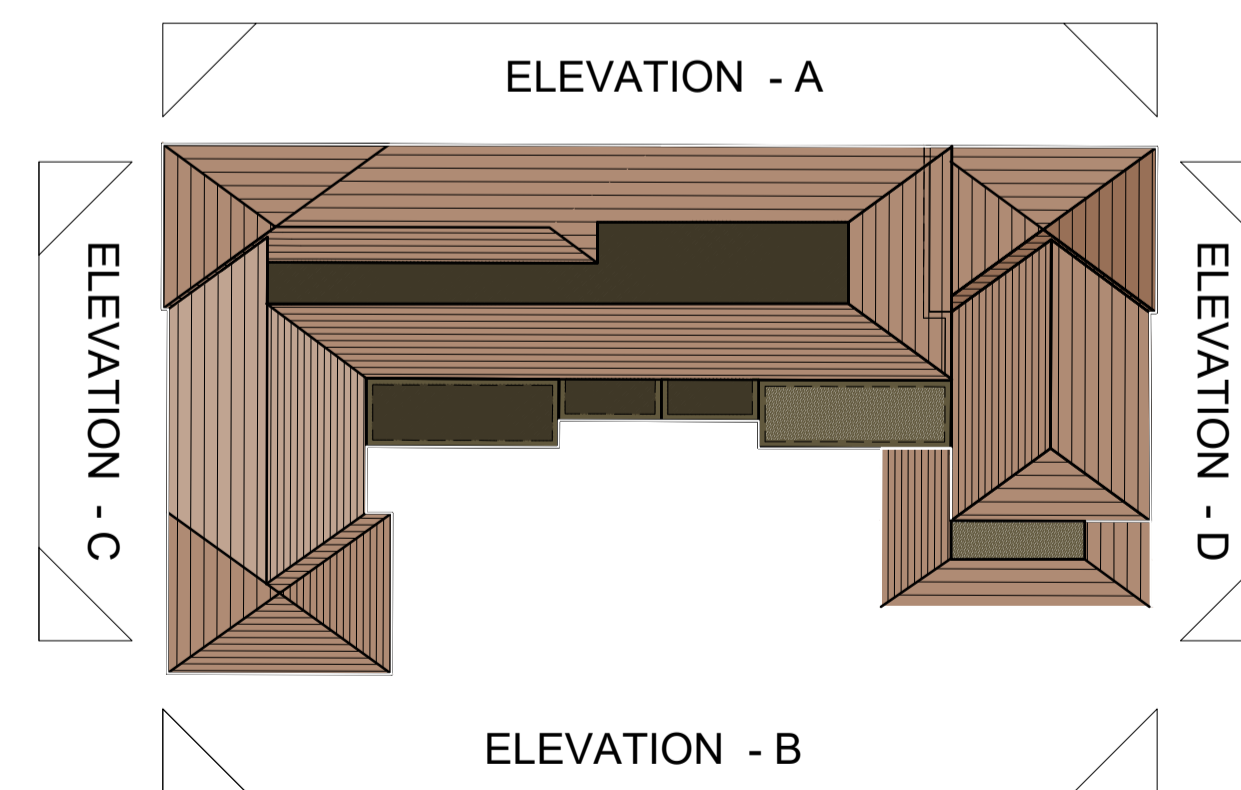
BUILDING FOOTPRINTS



PROPOSED GROUND FLOOR PLAN SCALE 1:200



PROPOSED SECOND FLOOR PLAN



PROPOSED ROOF PLAN
SCALE n.t.s

FACTORY LOCKS - TIPTON

Rev - B - Balconies introduced to elevations A & C. Main & side roofs changed from flat to mansard - 05-01-22
Rev - C - Site Plan amended - 01-03-22

PLANNING

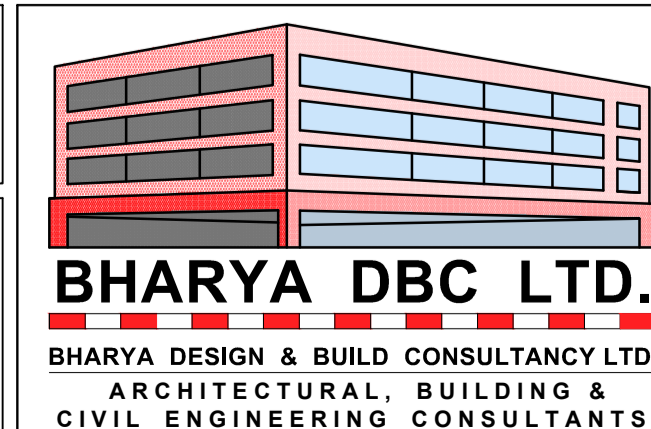
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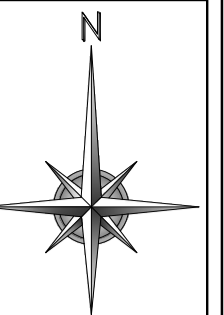
Date March 2021	Drawn DsB	Scale 1:100, 1:200 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
Job title Proposed Redevelopment of listed building and erection of New build Apartments

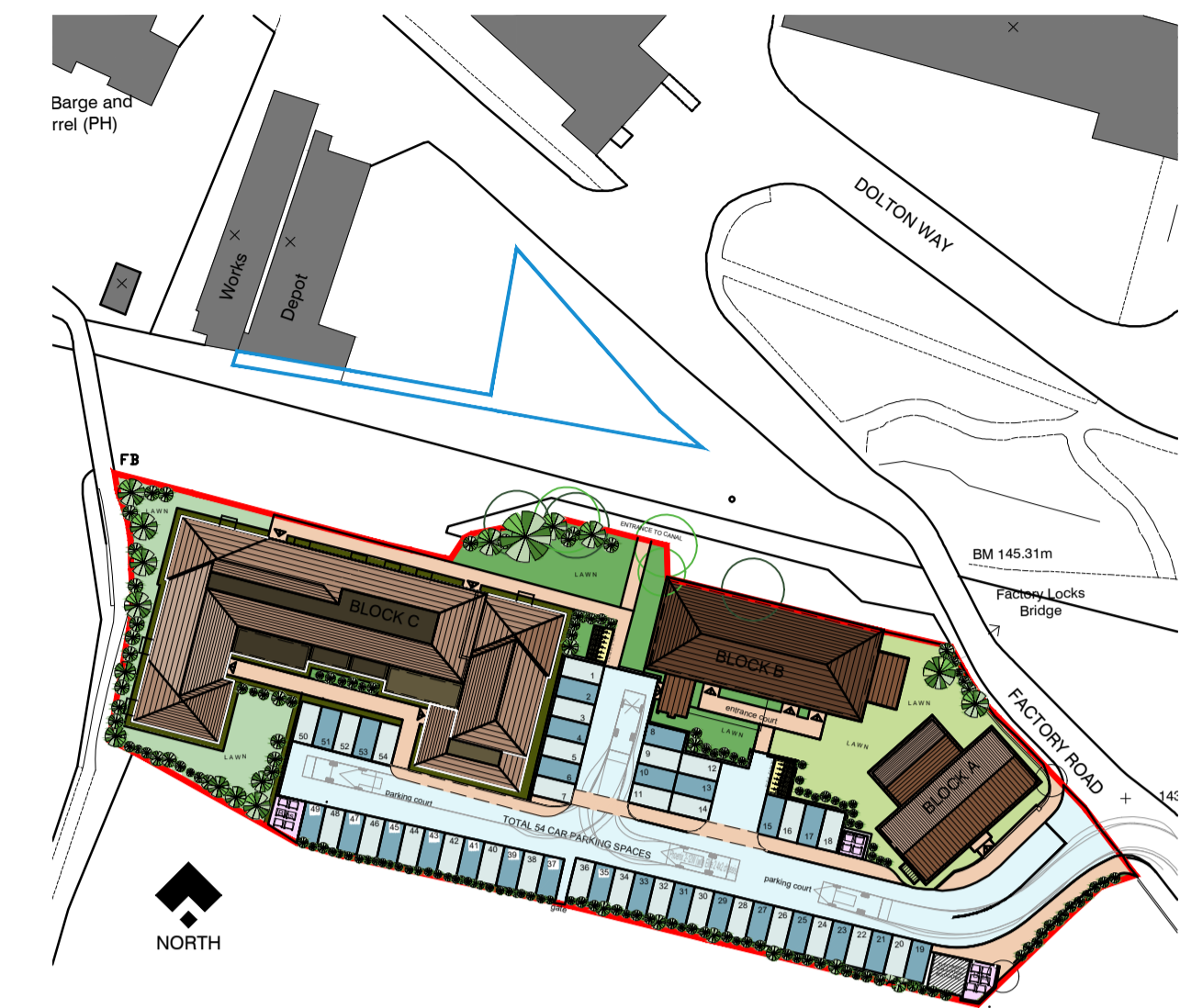
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Drawing No. BDBC/21/20 - 04D



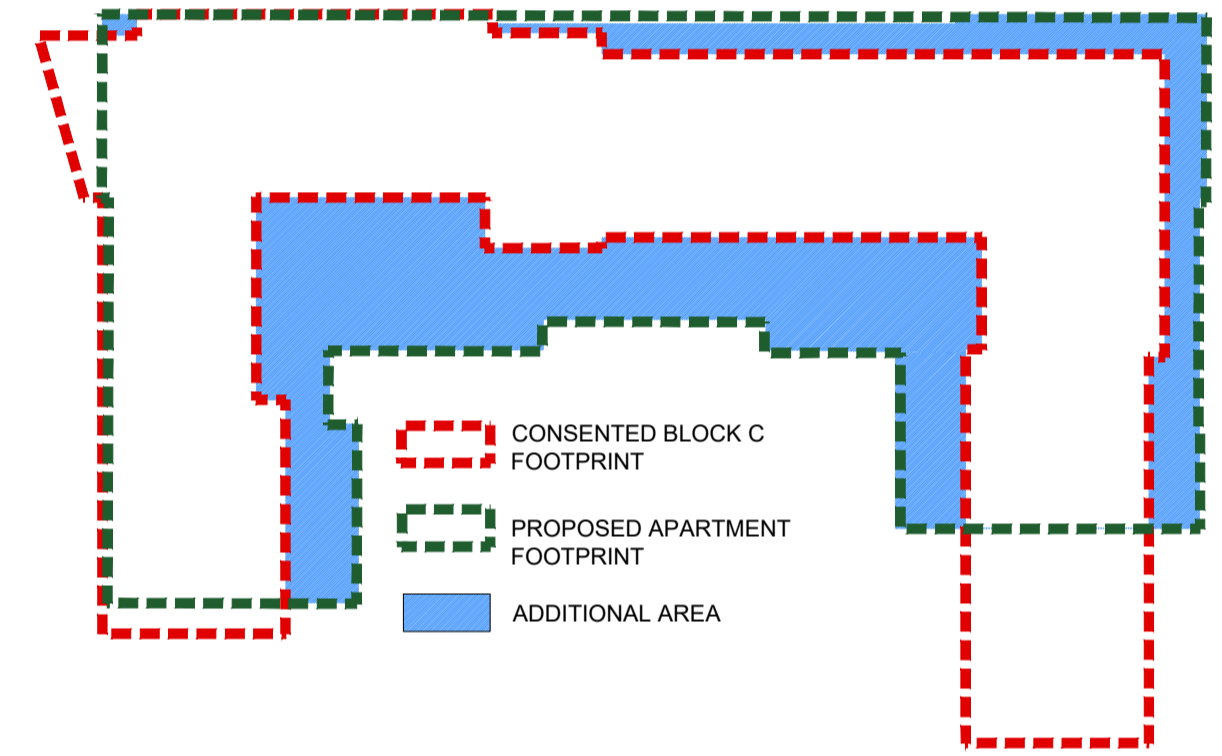
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PROPOSED GROUND FLOOR PLAN SCALE 1:100



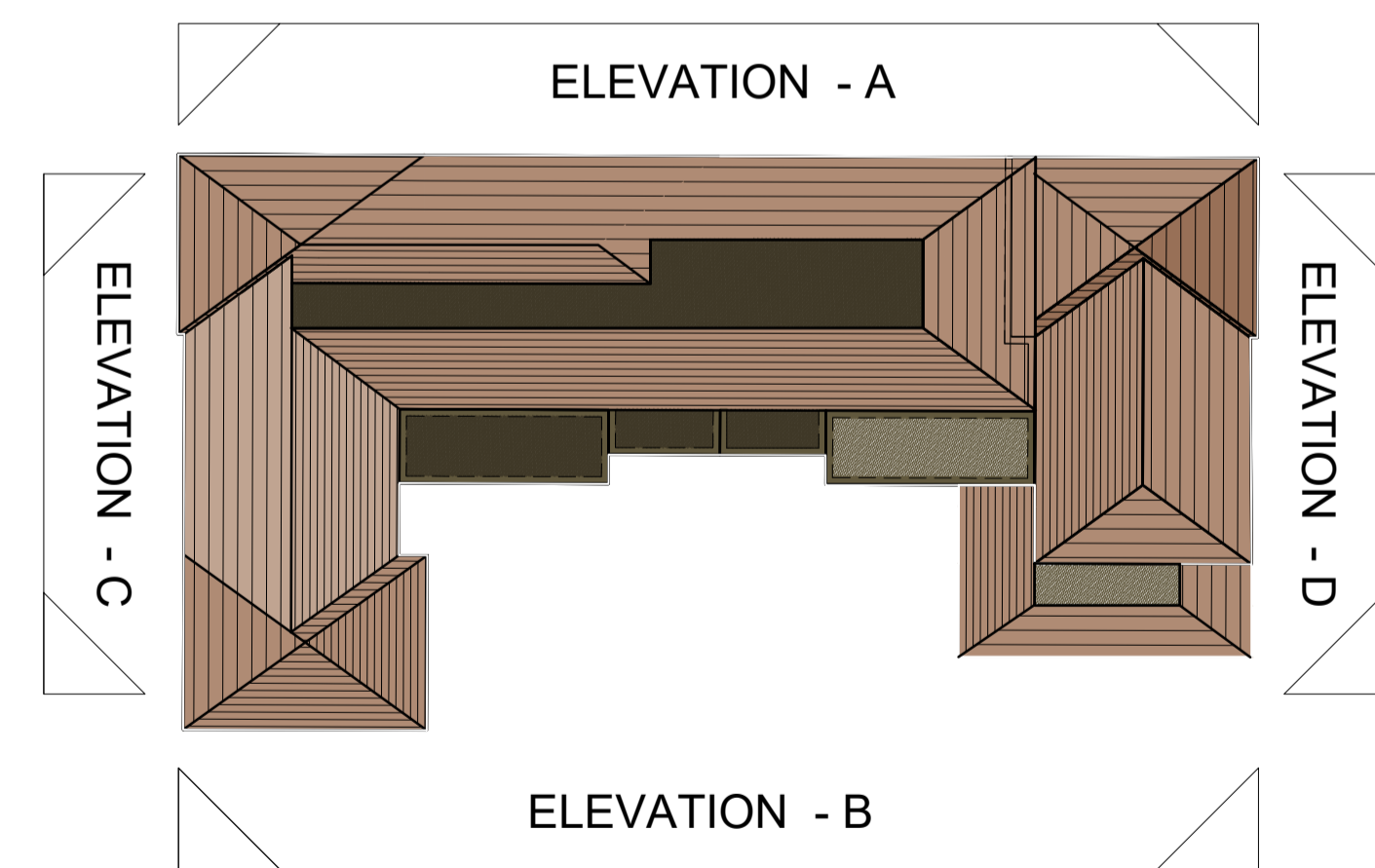
PROPOSED SITE PLAN SCALE n.t.s



BUILDING FOOTPRINTS

BLOCK - C

Apt.	C1	C2	C3	C4	C5	C6	C7	C8	C9	C10	GIA	Comms	Net	Gross	1 Beds	2 Bed	Total
Ground	66	66	74.7	52.7	53.2	53.2	52.7	74.7	66	51	610.2	132.9	743.1	842	5	5	10
	2B3P	2B3P	2B4P	1B3P	1B3P	1B3P	1B3P	2B4P	2B3P	1B3P							
1st Floor	66	66	74.7	69.8	53.2	53.2	69.8	74.7	66	65.2	658.6	89.4	748	842	2	8	10
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P	2B4P	2B3P	2B3P							
2nd Floor	66	66	74.7	69.8	53.2	53.2	69.8	74.7	66		593.4	97.6	691	778.4	2	7	9
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P	2B4P	2B3P								
3rd Floor	66	66	74.7	69.8	53.2	53.2	69.8				452.7	83.7	536.4	608.9	2	5	7
	2B3P	2B3P	2B4P	2B3P	1B3P	1B3P	2B3P										
Total											2,314.90	403.6	2,718.50	3,071.30	11	25	36



PROPOSED ROOF PLAN SCALE n.t.s

FACTORY LOCKS - TIPP TON

Rev - B - Balconies introduced to elevations A & C. Main & side roofs changed from flat to mansard - 05-01-22
 Rev - C - Site Plan amended - 01-03-22

PLANNING

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Date March 2021	Drawn DsB	Scale 1:100 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
 Job title Proposed Redevelopment of listed building and erection of New build Apartments

Drawing title Proposed Ground Floor Plan BLOCK - C
 Drawing No. BDBC/21/20 - 05C

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 76 Poplar Avenue
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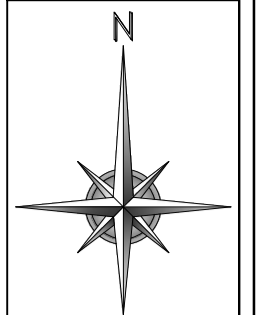


ELEVATION - A

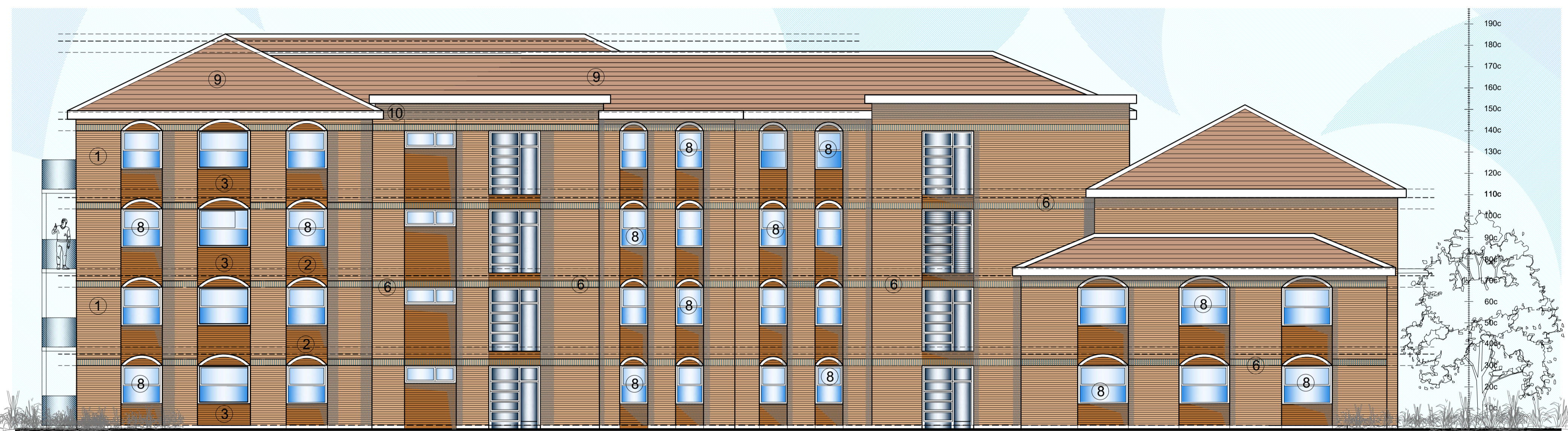
BLOCK - C

Material Key

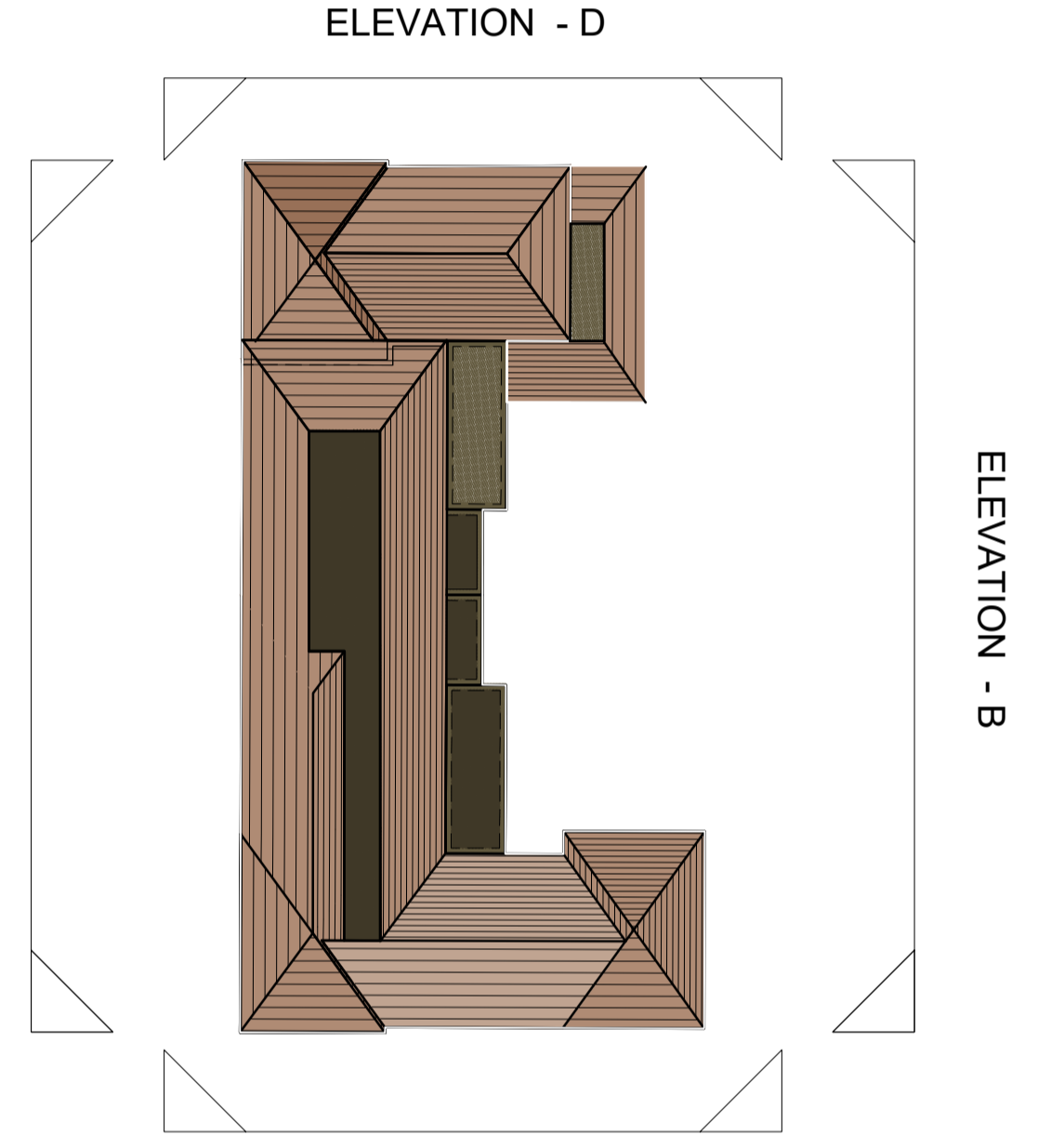
- 01 - Red brick to suit vernacular
- 02 - Blue brick surround to ground floor windows
- 03 - Blue brick to top of red brick plinth
- 04 - Timber cladding
- 05 - Steel balcony structure dark grey finish with anti-slip timber deck and timber hit + miss soffit
- 06 - Projecting brick detail
- 07 - Aluminium projecting canopy, dark grey colour
- 08 - Dark grey aluminium framed glazing
- 09 - Man made slate roof tile
- 10 - Square section aluminium gutter + rwp dark grey finish



**F A C T O R Y
L O C K S
-
T I P T O N**



ELEVATION - B

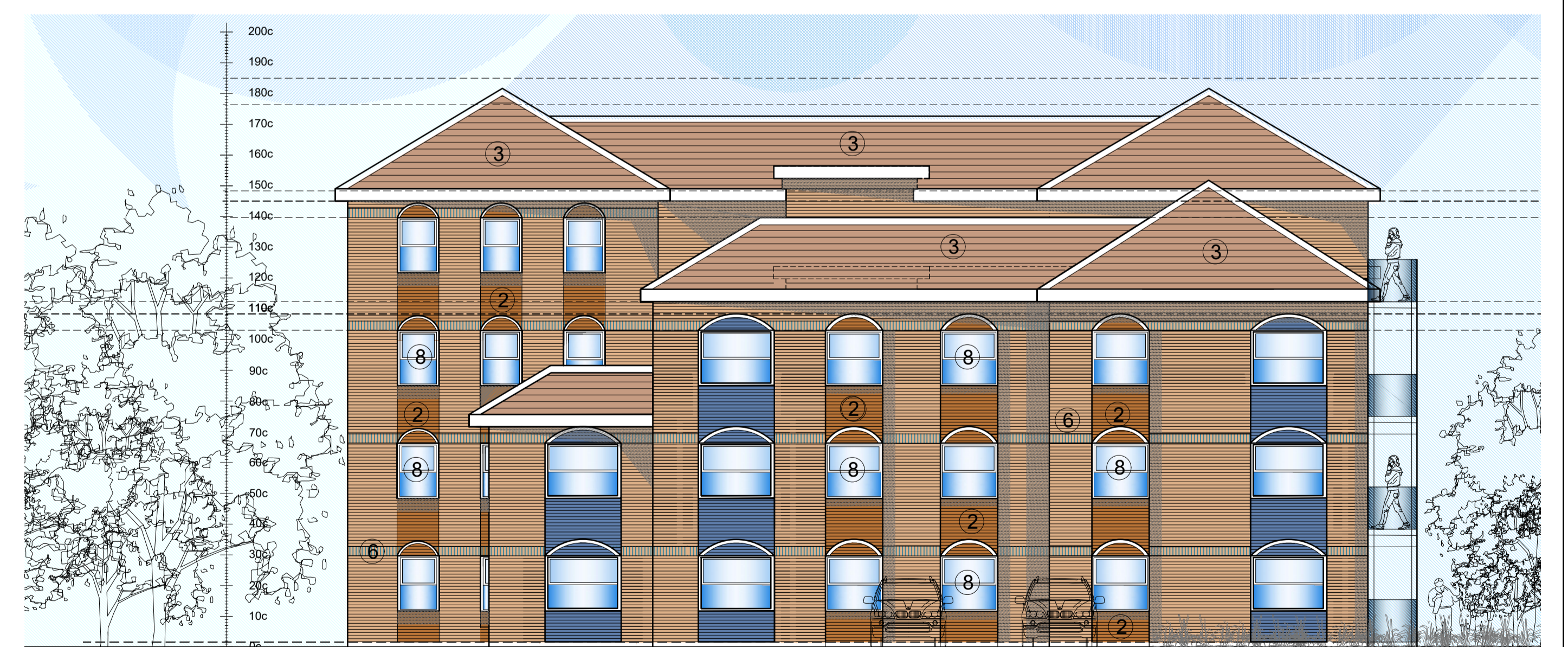


ELEVATION - D

ELEVATION - C



ELEVATION - C



ELEVATION - D

Rev - A - Balconies introduced to elevations A & C. Mani 7 side roofs changed from flat to mansard - 05-01-22
 Rev - B - Feature above window changed to arch - 01-03-22

P L A N N I N G

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Date Feb. 2021	Drawn DsB	Scale 1:100, 1:50 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
 Job title Proposed Redevelopment of listed building and erection of New build Apartments

Drawing title Proposed Elevations BLOCK - C
 Drawing No. BDBC/21/20 - 06B

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PROPOSED BOUNDARY TREATMENT

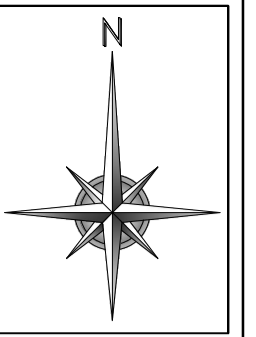
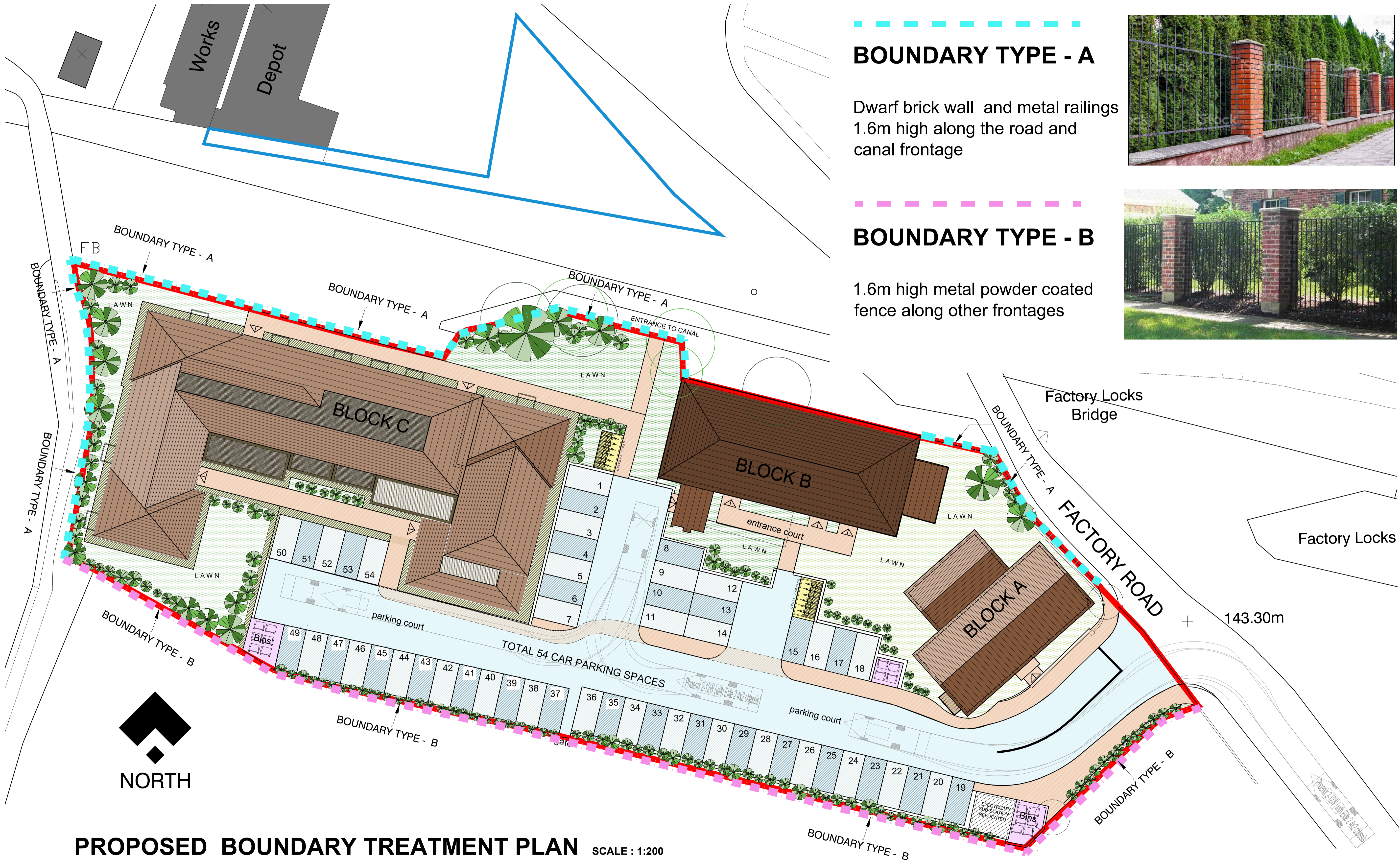
BOUNDARY TYPE - A

Dwarf brick wall and metal railings
1.6m high along the road and canal frontage



BOUNDARY TYPE - B

1.6m high metal powder coated fence along other frontages



FACTORY LOCKS - TIPTON



PROPOSED BOUNDARY TREATMENT PLAN SCALE : 1:200

Rev - A - Site Plan Amended - footpath, bins parking arrangement amended by Block C - 01-03-22

P L A N N I N G

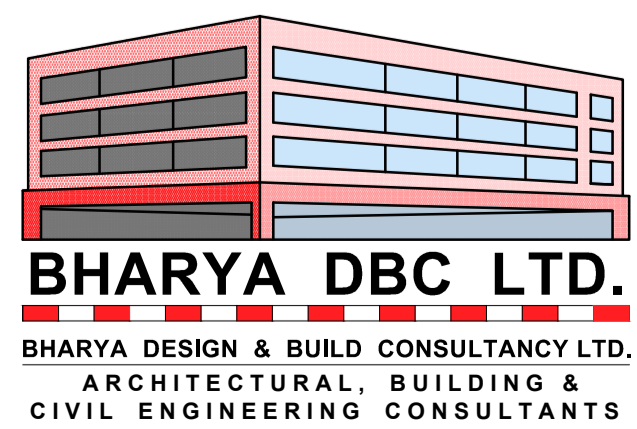
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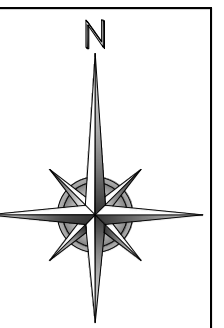
Date March 2021	Drawn DsB	Scale 1:200 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
Job title Proposed Redevelopment of listed building and erection of New build Apartments

Drawing title Proposed Boundary Treatments
Drawing No. BDBC/21/20 - 09B



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PLANNING

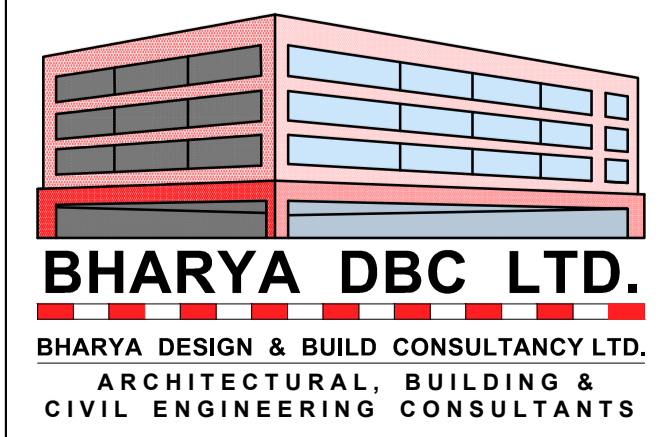
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Date March 2021	Drawn DsB	Scale 1:200 @ A1
Preliminary ●	Construction ○	Revisions

Client Taylor Grange Developments
Job title Proposed Redevelopment of listed building and erection of New build Apartments

Drawing title Proposed Renders
Drawing No. BDBC/21/20 - 08



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