

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel	<u>PLANNING COMMITTEE</u>	Date: 02 Dec 2008
Originating Service Group(s)	REGENERATION AND ENVIRONMENT	
Contact Officer(s)	Stephen Alexander (Head of Development Control)	
Telephone Number(s)	(01902) 555610	
Title/Subject Matter	PLANNING APPLICATIONS	

Recommendation

That Members determine the submitted applications according to the recommendation made in respect of each one.

PLANNING COMMITTEE (2nd December 2008)

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Application Type	Minor Retail
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Application Type	Change of use
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PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01032/FUL

WARD: Park

DATE: 27-Aug-08

TARGET DATE: 26-Nov-08

RECEIVED: 04.08.2008

APP TYPE: Full Application

SITE: The Quarterhouse, 51 Compton Road, Wolverhampton, West Midlands

PROPOSAL: Residential development comprising 9 three bedroom houses and 1 four bedroom house.

APPLICANT:

Urban Cube
C/o Agent

AGENT:

Mr Graham Parker
CSJ Brooke-Smith
Somerville House
Harbourne Road
Edgbaston
Birmingham
B15 3AA

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is located 200m west of Wolverhampton City Centre boundary and is generally rectangular in shape but with a triangular portion missing from the rear boundary creating a tapered and restricted part of the site. The immediate location is predominantly residential in nature.
- 1.2 The site which is 0.17 hectares comprises a public house known as 'The Quarterhouse' which ceased trading in October 2008. The building which is set back 5.5m from the back edge of pavement is located on the east side of the site with single storey outbuildings adjacent to the eastern boundary.
- 1.3 The pub was completed in 1935 for Wolverhampton and Dudley Breweries Ltd. to the design of Bertram Butler and is two storeys in height and scale constructed of brown brick with clay tile roof. The building is rectangular in shape to mirror the shape of the plot in which it is located. To the west of the building is a large hardsurfaced area for parking. There is a small grassed area to the rear of the public house and with a row of Sycamore trees along the southern boundary which are covered by a preservation order.
- 1.4 To the south of the site is the rear private amenity space and parking for flats at Trinity Court in Crawford Road. Trinity Court is a three storey building operated by Accord Housing Association approximately 28 years old and containing 26 flats. Also along part of the southern boundary is the rear garden space to the single storey Wesleyan Holiness Church. A close boarded fence defines this boundary.
- 1.5 To the west is the side gable and boundary of 63 Compton Road which forms part of a group of four Victorian terraces, three storeys in height and increasing in height towards the west. There appears to be a right of access along the application site boundary which affords external access to the rear of 63 and 65 Compton Road.

- 1.6 Historically the terrace to the west extended to within 6m of the western elevation of the pub. At some time after 1967 the terrace was reduced by the demolition of 55-61 Compton Road, to create the large car park which now exists.

2. Application Details

- 2.1 The application proposes the demolition of the existing public house and single storey side garage and the erection of 10 three storey dwellings.
- 2.2 The proposed layout shows two blocks which both address the frontage to Compton Road with central access to parking at the rear. Five parking spaces are shown in a communal parking area and 4 houses would each have a space within their rear gardens. The gap between the blocks would be 4.8m wide and would be gated with both vehicular and pedestrian gates 2.2m in height. The most eastern house on plot 1 would have separate vehicular access and in-curtilage parking for 2 vehicles with a new wall and access gates set back 3.4m from the back of pavement.
- 2.3 The western three houses (plots 8, 9 and 10) would be set back 4m from the back of pavement, in line with existing properties 63-67A Compton Road. The building line of plots 5, 6 and 7 then steps forward 2m leaving a frontage of between 2.1m and 1.75m deep. Front boundary walls with railings 1100mm high are proposed to define the front boundary.
- 2.4 Plots 2 - 9 would have rear private gardens of less than 55 sqm.
- 2.5 The proposal indicates the removal of trees at the western perimeter of the site but retains all trees along the southern boundary. The rear car park would be surfaced in a permeable block paving
- 2.6 The three storey buildings would be constructed of red brick with stone window heads, projecting bay windows, curved entrance door heads and dentil course below the eaves. Non-functional chimney features have been added to the roofscape. The overall height of the buildings would be 1m lower than the adjacent 63 Compton Road.

3. Relevant Background

- 3.1 An architectural appraisal of the proposed development has been undertaken by the Lapworth Partnership, Chartered Architects.

4. Constraints

- 4.1 Tree Preservation Order - TPO Ref: 06/00651/TPO

5. Relevant Policies

5.1 Relevant UDP Policies

- AM12 Parking and Servicing Provision
- C1 Health, Education and Other Community Services
- C3 Community Meeting Places
- D1 Design Quality
- D2 Design Statement
- D4 Urban Grain
- D5 Public Realm Public Open Private Space
- D6 Townscape and Landscape

D7	Scale - Height
D8	Scale - Massing
D9	Appearance
D13	Sustainable Development Natural Energy
D14	The Provision of Public Art
EP5	Noise Pollution
H1	Housing
H6	Design of Housing Development
HE1	Preservation of Local Character and Distinctiveness
N7	The Urban Forest

5.2 Supplementary Planning Guidance
SPG3 - Residential Development

6. Publicity

- 6.1 The application was advertised by press and site notices and letters to neighbouring occupiers. One objection has been received from CAMRA (Campaign for Real Ale). The objection is that the application has provided insufficient information in respect of marketing, misrepresentation of other pubs in the area and the proposed layout would result in overdevelopment of the site.

7. Internal Consultees

- 7.1 Conservation and Urban Design – The Quarterhouse is a distinctive building of good architectural quality that contributes positively to the street scene and ‘sense of place’. The Quarterhouse is a building of architectural merit, important in the street scene and reinforces local distinctiveness. The loss of the building would be contrary to key principles underpinning the conservation and design policies in the UDP. It is very difficult to emulate historic styles convincingly and the submitted scheme would fail on every account to pull off a convincing solution and a more contemporary approach should be considered.
- 7.2 Trees – The TPO,d Sycamore tree shown as T18 on the tree survey should be allocated an undisturbed area of the existing grass measuring 5m to the north and 10.5m to the western boundary. All trees should be protected to BS5837.2005 prior to any works on site.
- 7.3 Access – Flush dropped kerbs and buff blister tactile paving at the new vehicular route and should include one disabled parking bay.
- 7.4 Transportation –
- The site is not considered highly accessible and therefore the proposed parking provision is inadequate.
 - The access to the parking area for plots 1-9 is not sufficiently wide enough to allow opposing vehicles to pass which is likely to lead to vehicles reversing back onto Compton Road. The access could be designed as a shared surface.
 - Visibility splays need to be demonstrated on the submitted drawings
 - Manoeuvrability of vehicles within the eastern plot would be difficult and likely to lead to reversing of vehicles onto Compton Road
 - Location of bin store adjacent to access may affect visibility leaving the site.
- 7.5 Environmental Services – All habitable rooms facing onto or at right angles to Compton Road should be fitted with thermal double glazed units with minimum acoustic performance of 35dB (Rtra) and acoustically attenuated mechanical ventilation should also be installed. Trickle vents must be acoustically treated.

8. Appraisal

8.1 The main issues in respect of this proposal are as follows:-

- Loss of Community Use
- Loss of Building of Architectural Merit
- Access and Parking & Trees
- Layout
- Design and Appearance
- Amenity Space

Loss of Community Use

8.2 The proposed development would result in the loss of the 'Quarterhouse' public house. Unitary Development Plan policy C3 'Community Meeting Places' requires that the loss of community meeting places, which includes public houses, will only be permitted if:

- there is no longer a need for the use;
- there are other facilities nearby which can accommodate displaced community activities
- the proposal would involve the replacement of the facility; or
- the use is no longer economically viable.

8.3 Insufficient evidence has been submitted to satisfactorily demonstrate that the Quarterhouse is economically unviable and therefore the proposal would be contrary to policy C3.

Loss of Building of Architectural Merit

8.4 The Quarterhouse public house was completed in 1935 for Wolverhampton and Dudley Breweries Ltd. to the design of A T _ Bertram Butler and is a fine example of the 'reformed' or 'improved' public house which developed during the inter war years. It replaced an older public house dating back to 1856. This new type of public house, of which the Quarterhouse is a good example, was the brewing industry's response to the growing opposition and was an attempt to change the image of drinking and attract "respectable" customers. These landmark buildings, which represent a distinctive period of public houses architecture, are increasingly coming under threat of demolition, as many claim to be no longer viable as businesses. The Quarterhouse is a building of architectural merit; it is important to the street scene and reinforces local distinctiveness. The future use as a public house may be unviable (this has not been demonstrated) but should not justify its demolition.

8.5 The Quarterhouse is a distinctive building of good architectural quality that contributes positively to the street scene and 'sense of place'.

8.6 No details have been submitted with the application which justify the loss of the building and therefore the loss of this building would be contrary to UDP policies D1 - which states that development should evolve from an understanding of local distinctiveness; D6 - which states that proposals should create or reinforce local distinctiveness by comprising site-specific design solutions; HE1- which states that physical features which strongly and positively contribute to the local character and distinctiveness of the City's landscape and townscape should be retained and D13 - which states that buildings should be retained and reused wherever possible.

Access and Parking and Trees

8.7 The site is not considered highly accessible and therefore a development of this size would be expected to generate a demand for approximately 15 parking spaces. The proposed 13 parking spaces would be inadequate.

- 8.8 The width of the access to the rear parking area is not sufficiently wide enough to allow opposing vehicles to pass which is likely to lead to vehicles reversing back onto Compton Road.
- 8.9 Visibility splays need to be demonstrated on the submitted drawings and the location of the bin store for plot 5 may reduce visibility for vehicles leaving the site.
- 8.10 Manoeuvrability within the eastern plot would be difficult and likely to lead to vehicles reversing onto Compton Road and with poor visibility when leaving the site by virtue of an existing boundary wall, this would be unacceptable. The entrance gates are not set back 6m from the back of the footway to allow for vehicles to park off the highway. This would be unacceptable and likely to create a hazard for pedestrians and road users.
- 8.11 One of the parking spaces is too close to a protected tree and so needs to be omitted. This would reduce the number of spaces to 12. Other spaces beneath the canopy of sycamores would lead to pressure to remove the trees to prevent residue from the trees being deposited on cars.
- 8.12 The proposal has no disabled parking bays.

Layout

- 8.13 The layout, with terraced housing at the front and gardens and parking at the rear, is broadly acceptable. However, the 2m step in the building line between 7 and 8 in the western terrace, would disrupt the harmony of the terrace.

Design and Appearance

- 8.14 A historic architectural style has been adopted for the proposed houses, apparently inspired by the existing terrace to the west. However, attempts to emulate historic styles are often unsuccessful. The proportions of modern houses are often less generous than their historic antecedents and the requirements of current building regulations (e.g. for thermal efficiency and disabled access) can prevent the proper and faithful replication of historic styles. Also emulating the quality of detailing and materials of historic building is expensive. A development is therefore more likely to be successful if contemporary architecture is adopted.
- 8.15 With the exception of the eastern 2 houses (plots 1 & 2), the proposed houses are significantly narrower than those to the west. As a result, windows and doors are far closer together, giving a cramped appearance to the elevations.
- 8.16 The proposed height of the building would be considerably lower than the adjacent properties to the west. This is partly because the historic houses are set on a plinth which could not be emulated in the new houses as it would not facilitate disabled access. Also, the position of windows on the historic buildings reflect diminishing ceiling heights on the upper floors, which is not the case with the proposed terraces.
- 8.17 The proposed double storey string course is arbitrary; the window style reflects replacement windows in adjacent properties and not original fenestration, which is most likely to have been sash windows, and the window design has flimsy horizontal glazing bars which are uncharacteristic of historic styles.
- 8.18 Proposed roof tiles on the projecting bays would appear clumsy (the bay on the adjacent terrace is roofed in lead). The front boundary wall details would be elaborate and fussy. The proposed chimneys would be non-functional and made of plastic (GRP) and it has not been demonstrated that they would be visually convincing. Similarly, while brick arches are shown over front doors, it has not been demonstrated that traditional rubbed bricks would be used, and the use of ordinary bricks would appear clumsy and cheap.

Amenity Space

- 8.19 Supplementary Planning Guidance No. 3 advises a small family house should have a minimum area of 55 sq.m. Even though the proposed terraces would contain mostly medium sized houses (3 bedrooms) with one large 4 bedroomed house, 7 out of the 10 back gardens are significantly less than 55 sq.m. and the 4 houses with in-curtilage rear parking would rear gardens substantially less than 55 sqm.

9. Conclusion

- 9.1 The proposal would result in the loss of a community use without adequate justification.
- 9.2 The proposal would result in the loss of a building of architectural merit which contributes to the street scene and makes a positive contribution to local distinctiveness. The loss of which would not accord with the principles of sustainable development.
- 9.3 There would be insufficient parking and manoeuvrability within the site which would be to the detriment of highway safety.
- 9.4 The siting of parking spaces below the canopy of protected sycamore trees, which drop a sticky residue, would be likely to result in pressure to allow the felling of those trees.
- 9.4 The adopted 'historic' architectural style would fail to satisfactorily emulate the adjacent historic buildings in terms of proportion, scale and detail, which together with the 2m step in the front building line, would result in a poorly designed development with cluttered elevations and a detrimental affect on the streetscene.
- 9.6 The proposed layout would result in the overdevelopment of the site, with insufficient parking and manoeuvring space, inadequate space for protected trees, narrow building plots, a stepped building line and substandard rear gardens.

10. Recommendation

- 10.1 Refuse for the following reasons:
1. The proposed development would result in the loss of a community use without adequate justification, contrary to UDP Policy C3.
 2. The proposed development would result in the loss of a building of architectural merit which contributes positively to the street scene and local distinctiveness. It has not been demonstrated that the building cannot be reused, in the interests of sustainability. Contrary to UDP Policies H1, H6, D1, D6, D13 and HE1.
 3. There would be insufficient parking and manoeuvrability within the site which would be to the detriment of highway safety, contrary to UDP Policy AM12, H1 & H6.
 4. The siting of parking spaces below the canopy of protected sycamore trees, which drop a sticky residue, would be likely to result in pressure to allow the felling of those trees, contrary to UDP policies N7 and H6.
 5. The adopted 'historic' architectural style would fail to satisfactorily emulate the adjacent historic buildings in terms of proportion, scale and detail, which together with the 2m step in the front building line, would result in a poorly designed

development with cluttered elevations and a detrimental affect on the streetscene, contrary to UDP Policies D1, D7, D8 and H6

6. The proposed layout would result in the overdevelopment of the site, with insufficient parking and manoeuvring space, inadequate space for protected trees, narrow building plots, a stepped building line and substandard rear gardens, contrary to UDP Policies D1, D4, N7 & H6.

Case Officer : Jenny Davies

Telephone No : 555608

Head of Development Control – Stephen Alexander



PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01198/FUL

WARD: Park

DATE: 18-Sep-08

TARGET DATE: 13-Nov-08

RECEIVED: 18.09.2008

APP TYPE: Full Application

SITE: Nursing Home 98 To 100, Richmond Road, Wolverhampton, West Midlands

PROPOSAL: Extensions and alterations to nursing home to provide 14 additional bedrooms.

APPLICANT:

Mr S Jakhu
Caram (AH) Ltd
C/O Agent

AGENT:

Mr David Stentiford
Pegasus Planning Group
5 The Priory
Old London Road
Canwell
Sutton Coldfield
B75 5SH

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is approximately 2 miles to the west of Wolverhampton City Centre, and 100m from the junction of Richmond Road with Compton Road.
- 1.2 The area is characterised by large Victorian and Edwardian detached and semi-detached residential villas set back from the road frontage and with generous gardens to the rear. There is a significant degree of tree cover in the gardens of and along the frontages of Richmond Road which gives the area a green and leafy appearance. 94 Richmond Court to the south is a residential care home. 104 Richmond Road to the North is a dwelling house.
- 1.3 The application site fronts onto Richmond Road with a pair of late Victorian/Edwardian semi-detached villas, with a former coach house to its south side and a modern garage and parking area to its north side. There are several phases of extension already existing on the site to the rear, a combination of both single and two storey.
- 1.4 The site is an irregular rectangle, 0.52 Ha in area, which runs along the boundary of 104 Richmond Road projecting behind its garden, runs along the backs of 147, 149 and 151 Compton Road, forms a boundary with the allotment site to the rear and runs the full length of the boundary with 94 Richmond Road. It lies below the level of gardens to the south on Richmond Road and those on Compton Road.
- 1.5 There are significant trees on the site including cypress, which are protected under TPO 02/2/175-161 and other trees which contribute to the 'green and leafy' appearance of the local area.
- 1.6 The existing premises comprise the semi-detached villas on the Richmond Road frontage and a long, rear extension. The rear extension does not follow a continuous line. However, in total the building measures approximately 81m from front to back. The frontage buildings are 3 storey the 2nd floor is coved into the roofspace at 12m

high; the first part of the extension falls to single storey with a large roof measuring between 5.5m and 6.5m high variously over 32 metres where it meets the two storey extension with a hipped roof which is 9m high.

- 1.7 Approval exists (06/0446) for the creation of a very large, long extension to the rear (shaped like a backwards question mark) replacing parts of the existing 81metre building. The rear portion at right angles to the main extension would be approximately 33m long and 10m wide and the long extension would total 60m and approximately 10m wide with the rear 31m offset to the 8m towards the north west. This extension would be 2 storey and 9m high, with a traditional hipped roof to tie in with the adjoining part of the existing building. There would be 16 additional bedrooms in the approved extension along with the necessary care facilities, work has commenced on site, making a total of 56 bedrooms for a total of 56 residents compared to the existing total of 40 bedrooms and 40 residents.

2. Application details

- 2.1 The proposal involves the addition of a further floor of bedroom accommodation above the two storey block approved under terms of permission 06/0446/FP. This second floor of accommodation would also extend over the rear most section of the existing rear two storey block. The resulting additional floor of accommodation would provide 2 day rooms, 10 single bedrooms, and assisted bathroom, nurse station, treatment room, toilets and associated facilities.
- 2.2 The application also proposes the formation of 4 bedrooms by alterations to the roof of the single storey link building which will enable a first floor corridor link between the original frontage building and the modern 2/3 storey extensions to the rear through the roof space of the link building which will also accommodate 4 further bedrooms, making a total of 70 bedrooms (including the 16 approved under 06/0446) and a total of 70 residents. The 4 No. bedrooms within the existing roof would result in the formation of 4 dormer windows and 4 velux windows overlooking the internal gardens to the site.
- 2.3 The development proposals also incorporate alterations to the external layout of the site, these being as follows:
- Secure cycle parking area
 - Visitor and disabled parking spaces
 - Bin store
 - 5 parking spaces to the rear of the coach house
 - minor external works: resurfacing of car park and new paving areas and various boundary and internal walls.
- 2.4 There will be an increase in height of the existing/approved building to the centre/rear of the site, with the ridge height of the building being some 1-2 metres above that of the existing. The northeast elevation of the proposed building is a three storey block with eight small projecting bays and an extension of the previous application to a further floor in height. The roof design incorporates a shallower pitch than that of the former building.

3. Planning History

- 3.1 08/00203/FUL for 2nd Floor extension and enlargement of previously approved proposals, restoration of garage, first floor extension over single storey link, reconfiguration of parking area Refused, dated 10.04.2008.

- 3.2 07/00602/FUL for Demolition of existing extensions, erection of 80 bed care home and 14no. Retirement apartments with associated parking and external works, Withdrawn dated 13.07.2007.
- 3.3 07/01558/FUL for 2nd Floor extension and enlargement of previously approved proposals Refused, dated 27.12.2007.
- 3.4 06/0446/FP/C for Extensions to existing nursing home, Granted, dated 29.08.2006.
- 3.5 C/1387/88 for Medical Nursing Home in conjunction with 100 Richmond Road, Granted, dated 23.11.1988.
- 3.6 C/0575/88 for Change of use to medical nursing home in combination with 100 Richmond Road, Refused, dated 10.06.1988.

4. Constraints

- 4.1 Tree Preservation Order - TPO Ref: 06/00636/TPO
Tree Preservation Order - TPO Ref: 06/00266/TPO

5. Relevant policies

- 5.1 D1 - Design Quality
D3 - Urban Structure
D4 - Urban Grain
D6 - Townscape and Landscape
D7 - Scale - Height
D8 - Scale - Massing
D9 – Appearance
D11 - Access for People with Disabilities part
D12 - Nature Conservation and Natural Features
D13 - Sustainable Development Natural Energy
HE1 - Preservation of Local Character and Dist
N7 - The Urban Forest
EP1 - Pollution Control
EP5 - Noise Pollution
H6 - Design of Housing Development
H12 - Residential Care Homes
AM1 - Access, Motability and New Development
AM7 - Travel Plans
AM10 - Provision for Cyclists
AM12 - Parking and Servicing Provision
SPG3 - Residential Development

6. Publicity

- 6.1 The nature of the proposal did not require the application be the subject of press advertisement. A site notice was posted on 26/9/08.

7. Neighbour notification and representations

- 7.1 Two objections on the grounds of access for fire engines, affect trees on site, increase traffic flows, undesirable impact on the amenities of the area, outlook of neighbours,

increase in on street parking, and disturbance from increase in parking, delivery and general staff use of the car park and driveway adjacent to boundary.

8. Internal consultees

8.1 Transportation Development: To be reported orally at committee.

8.2 Building Control: Awaiting Fire Officer Comments.

8.3 Access Team: Parking and entrances need to be well lit. Flush dropped kerbs with buff blister tactile paving at road junctions and crossings are necessary, entrance doors need to be 825mm, disable w.c's need to be 2.2m by 1.5m, nurses station should be accessible to both standing and seated visitors at a height of 760mm and a loop system. Lifts must comply with Part M and minimum dimensions 1.1m by 1.4m.

8.4 Landscape: Detail hard and soft landscape plan will be required with details of fencing, bollards, parking and types and sizes of trees and shrubs to be planted.

8.5 Environmental Services –

Food Safety – no objection. Currently bin/refuse containers are stored where the proposed bin store is to be erected. If anything a bin store would reduce risk of causing an odour nuisance. Condition recommended.

Environmental Protection – limitations on construction phase and note for information to limit the potential for complaint.

9. Appraisal

9.1 The key issues are as follows:

- **Principle of the development**
- **Design**
- **Trees.**
- **Transportation**
- **Amenity**

9.2 Principle of the extension of the existing use

The site is considered to be an appropriate location for a nursing home. There is planning permission for a 16 bedroom extension taking the total number of bedrooms to 56 which can be accommodated on the site although the shape of the approved proposal is not the optimal design to fit with the frontage buildings or the pattern of neighbouring development. The additional bedrooms proposed in this application take the total to 70 bedrooms which is a 75% increase from the existing and which is considered to be excessive and out of scale for the site for the reasons set out below.

9.3 There would be sufficient private amenity space in the proposal for the use of the occupants if the form of the development were acceptable.

9.4 Design

Wolverhampton's Unitary Development Plan requires development to respect the existing urban grain - Policy D4. The existing pattern of dwellings and gardens in the surrounding vicinity are large dwelling houses fronting roads and substantial garden areas to the rear. The rear gardens occupy upwards of 70% of the residential plot. The density of occupation of this part of Wolverhampton is therefore very low. This pattern has already been adversely affected by extensions within the application site

and the adjacent site, 94 Richmond Road. Nevertheless the character of the area remains of large attractive gardens with mature vegetation.

- 9.5 The proposed new scheme has a hipped roof design. This is in keeping with the existing villas but the mass and height of the extension are considered to be at odds with the character and appearance of the area.
- 9.6 The alterations to the central element have managed to maintain the appearance of a lower roof, than the previously refused scheme 08/0203 however, it is still considered that the proposed extensions are not sufficiently low in height over the majority of their length to adequately respect the frontage villas and would therefore not be read as being subservient to the frontage villas. It is therefore, considered, that in combination with the existing extensions, the design would generate a very poor and alien form of development in the context of the frontage villas and its scale and particularly its volume would be very significantly and detrimentally different to the open nature of the large gardens in the vicinity.
- 9.7 The footprint of the proposal is significantly different from development to the rear of other properties in the immediate locality and while a similar shaped extension has previously been approved the additional size and height of this proposal exacerbates its impact. Therefore it is considered that the proposal demonstrates an unacceptable departure from the existing pattern of development.
- 9.8 Therefore, as in the previous application (08/0203), the combination of bulk and height of the proposal at 9, 10m and 6m in the rear garden, is not sufficiently subservient to the original building on Richmond Road frontage villas 11.5m and 10.5m at ridge and is therefore out of scale with them. In this respect the proposal does not meet policies D1, D4, D7, D8, D9 or H12.
- 9.9 Trees
The application states that the proposal specifically does not involve the removal of any trees above and beyond those which have already been consented for removal as a consequence of the earlier planning consent.
- 9.10 The detail displayed on the proposed site plan, does not clearly demonstrate existing trees to be retained, trees to be removed and new trees to be planted.
- 9.10 The criticism of the previous scheme based upon loss of trees has been overcome through the retention of the three Cypress trees on the site frontage. All other alterations to protected trees have been approved pursuant to permission 06/0446/FP. It is therefore accepted that there is no harm arising from the removal of protected trees.
- 9.11 However, Tree Officers have noted that their comments have not changed since the previous application, whereby, they have concern regarding the impact of the proposal on trees which are subject of a TPO shown to be retained. Of particular concern is the impact on the root systems by buildings and car parking areas and the likely additional pressure from residents to lop crowns where they would be close to the new buildings. Therefore, the proposal would have a detrimental impact on existing TPO trees. Policy N7 - The Urban Forest and D12 - Nature Conservation and Natural Features.
- 9.12 Transportation Issues
The proposed level of parking in the application is considered to be acceptable.
- 9.13 Await comments from Transportation, in respect of access and turning spaces.

9.14 **Amenity issues**

Compared to the scheme refused under 08/0203 the proposal has now reinstated the garage and removed one parking space along part of the boundary with 104 Richmond Road, and moved it to the opposite side of the site along the boundary and parking area to the neighbouring residential home at 94, along with a further three car parking spaces. The agents suggest the reinstatement of the garage acts as a buffer zone between parking and manoeuvring areas and the neighbouring property, and the addition of car parking spaces will also reduce the level of traffic movement along the neighbouring property at No. 104. However, there is still a large number of parking spaces along this boundary (as already exists), but with an increase in number of bedrooms, and the possibility for an increase in traffic movement, It is considered that the disturbances from vehicle movement would be unacceptable along this boundary even with additional parking spaces to the opposite side.

9.15 The plans display a large bin storage along the boundary with No. 104, which could provide the same amount of disturbance to the neighbouring property, especially in light of the size and design of the storage area, which is to be open. Therefore, the level of noise, and smells, would again reduce the level of amenity this neighbouring property should be able to continue to enjoy, and is therefore unacceptable.

9.16 As highlighted in the previous refusal, the closest access to the entrance door would be along the boundary with No. 104 and as the home would be enlarged to have 75% more bedrooms for residents, the amount of activity would also be expected to increase by 75%. This would generate a significant and unacceptable detrimental impact on the living environment of the occupants of 104 Richmond Road. This would be contrary to policies D1, H6, EP1 and EP5 and potentially EP3.

9.17 As also stated in the previous refusal, the proposal would exacerbate the poor outlook for the occupants of the properties 147- 151 Compton Road as a result of the scale and height of the proposal and despite level differences there is serious potential for additional overlooking of their garden areas from the new bedrooms on the first floor. This would be contrary to policies D1 and H6.

9.18 The proposal now identifies the position of kitchens and cooking areas, and storage of bins, there is however no detail on provision of ventilation equipment for the development. This could be required by condition.

10. Conclusion

10.1 Comments from Transportation, to be reported orally at committee.

10.2 The proposal is considered to be overdevelopment of the site, being out of scale and character of the area, detrimental impact on trees, detrimental impact on neighbouring amenities due to smells, outlook, and privacy.

11. Recommendation

11.1 Refuse, for the following reasons:

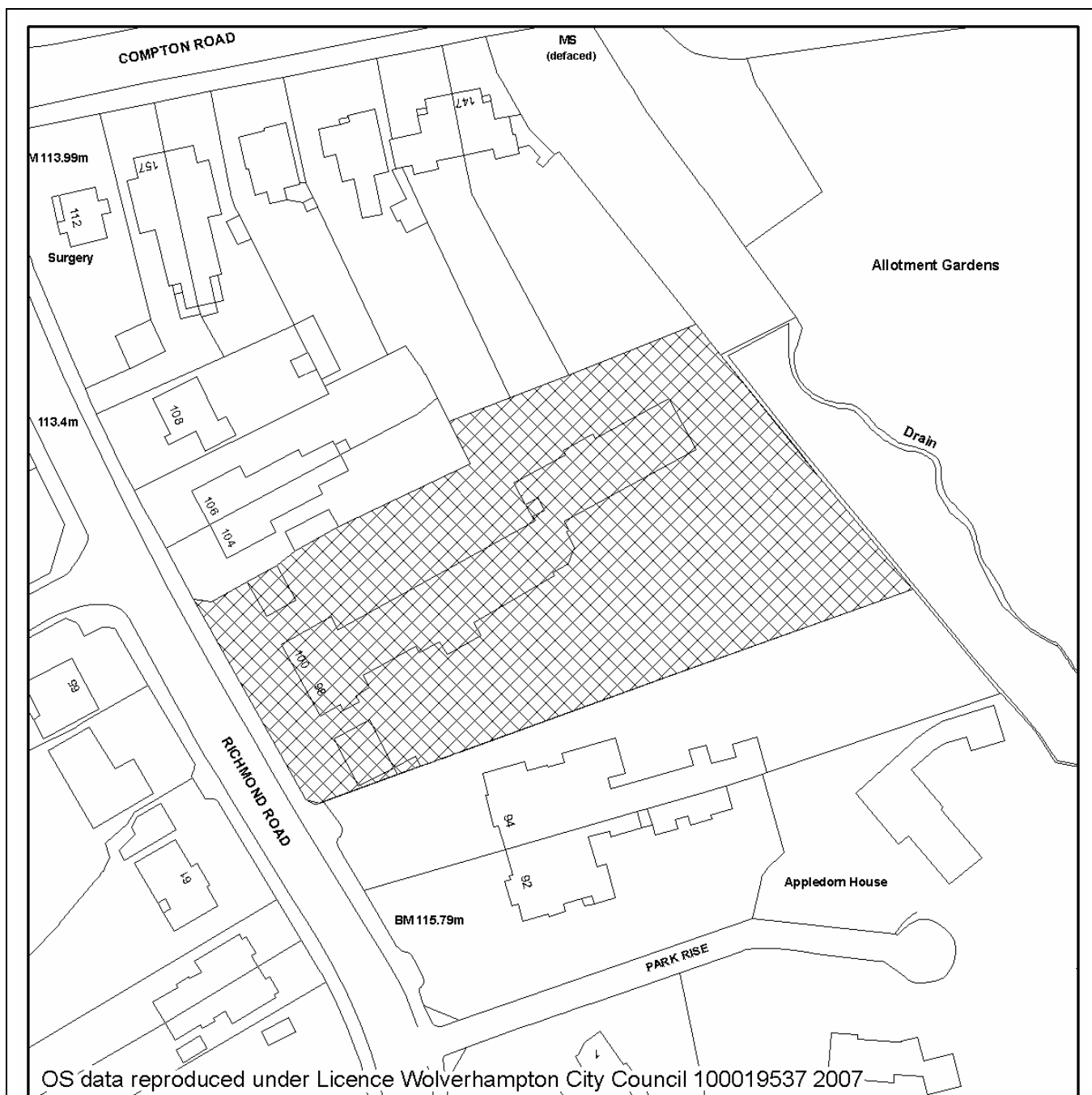
1. Out of scale and character with the surrounding development. Policies: D1 - Design Quality, D3 - Urban Structure, D4 - Urban Grain, D6 - Townscape and Landscape, D7 Scale-Height.
2. Neighbouring amenity – noise disturbance from increased level of traffic, manoeuvring, open top bin storage and accessing the front entrance of the development. Policies: EP1 - Pollution Control, EP5 - Noise Pollution, EP3 Air

- Pollution, D1 Design Quality, H6 Design of Housing Development and H12 Residential Care Homes.
3. Neighbouring amenity – outlook and privacy. Policies D1 Design Quality, D7 Scale-Height, D8 Scale-Massing, D9 Appearance, H6 Design of Housing Development, and H12 Residential Care Homes.
 4. Impact on trees. Policies: D1 Design Quality, D9 Appearance, N7 The Urban Forest, D12 - Nature Conservation and Natural Features.

Case Officer : Tracey Homfray

Telephone No : 555641

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01198/FUL

Location	Nursing Home 98 To 100, Richmond Road, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389406 298661
Plan Printed	20.11.2008	Application Site Area	5276m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01274/FUL

WARD: Bilston North

DATE: 13-Oct-08

TARGET DATE: 08-Dec-08

RECEIVED: 03.10.2008

APP TYPE: Full Application

SITE: 53 Wellington Road, Wolverhampton, West Midlands, WV14 6AQ

PROPOSAL: Re development of single storey bedsits and other outbuildings at the rear and replace with same number bedsits with pitched roof.

APPLICANT:

P3
Gladstone House
Market Street
Ilkeston
Derbyshire
DE7 5RB

AGENT:

Mr J O'Mahoney
Ginolombardo Associates Ltd
45 Friar Gate
Derby
Derbyshire
DE1 1DA

COMMITTEE REPORT:

1. Site Description

- 1.1 The property concerned is located on the A41 Wellington Road near to the junction with Villiers Avenue. The surrounding area has a mixture of uses, both commercial and residential. North and south of the site are residential properties, west of the site is a hostel.
- 1.2 The applicant "P3" who are a contracted service provider for Wolverhampton City Council, took charge of the building nearly ten years ago when it was operating as a Hotel, and has used it exclusively as a Hostel for homeless people from that time.
- 1.3 The property is a traditional semi detached property, with a small courtyard to the frontage, and the majority of the land to the rear, covered by single storey structures. The bulk of the structures to the rear are bedrooms. There is access at the rear onto a shared access drive leading to Villiers Avenue.
- 1.4 The existing number of occupiers is fifteen, and there is no increase in occupiers or staff within the proposal.

2. Application details

- 2.1 The proposal is for the redevelopment of the existing buildings and outbuilding at the rear. The basis of the application is to upgrade the facilities, providing a new kitchen/dining area, an enclosed access to the bedrooms, and a slight increase in size of the bedrooms.
- 2.2 The kitchen and dining room will be made larger and more useable.
- 2.3 Detached outbuildings to the rear which currently house kitchens and shower room, will be demolished.

- 2.4 The eight bedrooms to the rear will be replaced with slightly larger rooms, with ensuite facilities.
- 2.5 The proposal also incorporates a new pitch roof, with roof lights, instead of the existing flat felt roof.

2.6 Measurements:

Kitchen/Diner – 6m wide and 9m in depth.

Bedrooms – internal layout provides a width of 2.957 and a length of 4.1m. The extension measures 26.5m long and 6.4m wide, the height to the ridge is 4.6m.

3. Planning History

- 3.1 A/C/0628/70 for Retention of transport drivers' overnight accommodation, Granted, dated 14.02.1980.

A/C/3681/78 for Change of use of existing lorry drivers' hotel to hostel providing short team accommodation for homeless young men, Refused, dated 26.03.1978. – Appeal Allowed 18/12/79.

A/C/0118/72 for Retention of use of rear extensions as transport drivers' accommodation, dated 19.02.1980.

A/C/0107/80 for Use of existing property and rear extension as a twenty two bed hotel, Granted, dated 01.04.1980.

C/1982/89 for Change of use from Hotel to Old People's Home, Refused, dated 18.10.1989.

4. Constraints

- 4.1 Mining Areas (Building Consultancy)
Opencast Mining (areas of interest)

5. Relevant policies

- 5.1 AM12 - Parking and Servicing Provision
D2 - Design Statement
D4 - Urban Grain
D7 - Scale - Height
D8 - Scale - Massing
D9 – Appearance
D11 - Access
EP18 - Mineral Extraction
EP5 – Noise Pollution
SPG4 - Extension to Houses

6. Neighbour notification and representations

- 6.1 Two neighbour letters objecting on the ground of whether permission was granted for existing bedrooms and usage of the premises, insufficient car parking, anti-social behaviour and inappropriate usage.

6.2 Petition – 32 Signatures – No parking, unauthorised usage.

7. Internal consultees

7.1 Environmental Services - Construction phase limitations on operational hours, to limit the potential for complaint. Road Traffic Noise, falls within Category C of PPG 24 (Planning and Noise), where planning permission should not usually be granted. However, should members be of a mind to approve this development details are to be submitted of a comprehensive noise insulation package, detailing acoustic glazing insulation proposals.

7.2 Transportation Development - No objections, cycle storage to be secure, covered and located closer to the main house, and for secure anchor points be provided for the motorcycle parking.

8. Appraisal

8.1 The key issues are:

- Usage
- Design
- Street Scene
- Private Amenity (Parking, Garden, Outlook, Light/Sunlight)
- Neighbouring Amenity (Outlook, Light/Sunlight, and Privacy)

8.2 Usage

Objections received have raised concern over the planning status of the premises as to whether the property has permission for the use as a “Hostel for Homeless People”. In 1978 planning permission was refused for such a use, however, the application went to appeal and the use was allowed, for up to 15 men.

8.3 It is however noted in the design and access statement, that the current usage of the property as a “Hostel for homeless people” only took place ten years ago, in 1998.

8.4 An investigation as to the planning status of the use of 53 Wellington Road was undertaken in 2005, and insufficient evidence was found to dispute that the use had not been in place for 10 years.

8.5 Design:

The design of the redevelopment to the rear is in keeping with the existing property and those surrounding. The removal of the flat roof extension to the rear, which is visible from Villiers Avenue, will be an improvement, with the incorporation of a pitched roof, which will appear more in keeping with the existing property, and its surroundings and will improve maintenance.

8.6 The removal of the brick outbuildings will also tidy up the rear aspect to this property.

8.7 Street Scene:

Due to the open nature of the site, with views across the rear garden to No. 51, from Villiers Street, the proposed scheme will be more in character and appearance with the surrounding properties, improving the street scene.

8.8 Private Amenity:

The proposed hallway and bedrooms to the rear will result in the structure moving closer to the 2m high boundary wall, between the application site and the neighbouring property at No. 51, where there is likely to be a slight loss of light/sunlight, and outlook,

to the bedrooms due to their new position. However, the current bedrooms, with no enclosed access, and only a canopy access, is already very poor, both in living standards, and outlook and light. Therefore, it is considered that the improved standard of rooms with enclosed hallway, to be an improvement to the current arrangement.

- 8.9 There is no parking to the premises, however, the property is close to public transport, bus and tram, and there is a cycle store on site, which may require some enclosure, therefore, it is considered that the parking arrangements are acceptable.
- 8.10 There is no private external amenity to the current or proposed site. However, the property is within close proximity to the local park.
- 8.11 Neighbouring Amenity:
There has been no objection from this No.55 Wellington Road. The property has a large garden to the rear. The current outlook is onto a large flat roof structure, running the whole length of the boundary. I consider that, although a little taller, the incorporation of the pitched roof will provide a better outlook, onto a structure which will be more appealing.
- 8.12 The proposed skylight, although only to the proposed hallway, will require obscure glazing to maintain the privacy to this neighbouring property. The roof will also pitch away, so from both ground floor and first floor windows and the outlook from the rear garden, the impact would not be significant enough to recommend a refusal of the application.
- 8.13 Neighbouring property at No. 51, is a residential property. The neighbour has objected personally to this application, and via a petition signed by 32 people. The rear garden to this property is very exposed, poorly maintained, and inaccessible, due to overgrown shrubs and trees. The structure will project closer to the boundary with this garden, however, the outlook onto a redeveloped building will be an improved outlook. There is a 2m high boundary wall to prevent direct overlooking of this garden area from the proposed re-built extension.
- 8.14 This neighbour has objected to the specific use of the premises and to the legality of it. As confirmed above planning permission for use as a 'Hostel for Homeless Yong Men' was sought and refused, and then allowed at appeal. It appears that the current use has been in place for some 10 years, so thereby became an established use.
- 8.15 The petition refers to a possible unauthorised use and to problems with parking, requesting that a specific car park for employees and visitors be provided. The previous proposal allowed at appeal did display two car parking spaces to the rear of the property. However, the use is likely to be by people with a low car ownership and the property is within an area, which is easily accessible to other means of transport, therefore, the incorporation of a car park is considered to be unnecessary.

9. Conclusion

- 9.1 The proposal is considered to be acceptable, subject to condition including matching materials, obscure velux windows, enclosed cycle store and secure anchor points for motorcycles and the reiteration of the conditions referred to in the earlier appeal.
- 9.2 There were pre-application discussions with a Housing in Multiple Occupation Officer, who has confirmed that the internal layout of the bedrooms is to an acceptable standard.

10. Recommendation

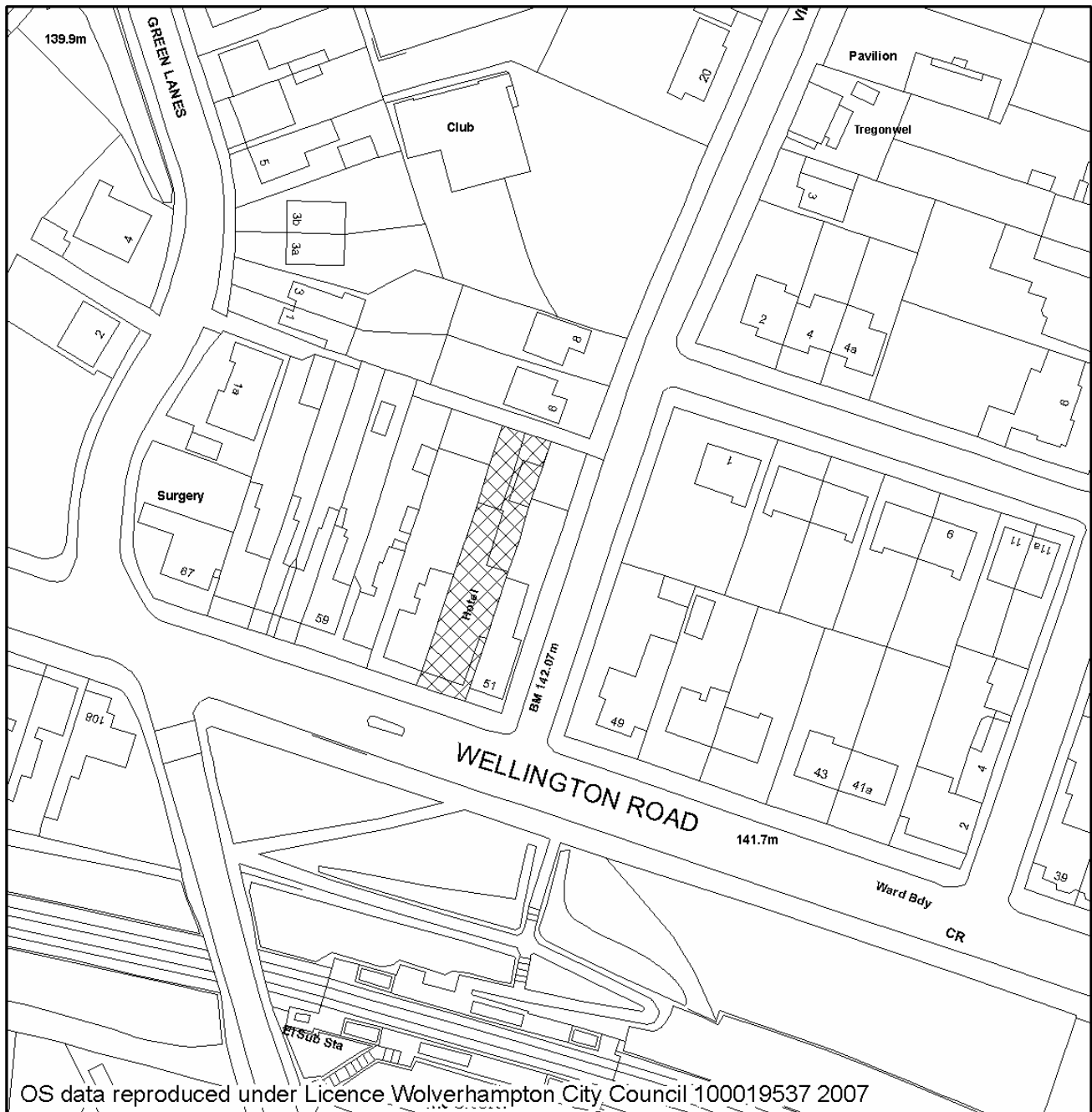
10.1 Grant, Subject to the following Conditions:

1. The number of homeless young men to be accommodated shall be limited to a maximum of 15 at any one time.
2. Materials
3. Access for persons with mobility difficulties.
4. Obscure Glazing to Velux Windows.
5. Sound insulation Package.
6. Cycle storage/motorcycle anchor points.

Case Officer : Tracey Homfray

Telephone No : 555641

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01274/FUL

Location	53 Wellington Road, Wolverhampton, West Midlands, WV14 6AQ		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 394613 296751
Plan Printed	20.11.2008	Application Site Area	400m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01276/FUL

WARD: Wednesfield South

DATE: 03-Oct-08

TARGET DATE: 28-Nov-08

RECEIVED: 03.10.2008

APP TYPE: Full Application

SITE: 40 Broad Lane South, Wolverhampton, West Midlands, WV11 3RY

PROPOSAL: Erection of 1No. dwelling.

APPLICANT:

Kendrick Homes Ltd
Tasker Street
Walsall
WS1 3QW

AGENT:

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is located in a predominately residential area on the south east side of Broad Lane South. The application site consists of approximately 50% of the rear garden area of No. 40 Broad Lane South. The site is rectangular in arrangement, the site would be accessed from a new driveway created for six new properties which were approved under application reference 06/01577/FUL.
- 1.2 The site backs onto public open space in Walsall.
- 1.3 The application site is level and grassed with boundary shrubbery. There is a tree screen to the rear of the site and one tree in the centre of the site.

2. Application Details

- 2.1 The application is for the construction of a large detached five bedroom two storey dwelling house with a double garage to the frontage.
- 2.2 The proposed new dwelling would be positioned between an existing bungalow at 38C Broad Lane South and a new dwelling currently under construction.
- 2.3 The majority of the first floor element would be of a dormer style to provide a stepping within the street scene and lessen the impact on neighbouring residents.
- 2.4 The proposed dwelling would be accessed from a newly constructed driveway from Broad Lane South which serves six new dwellings which were approved under application reference 06/01577/FUL.
- 2.5 The proposal involves the felling of one tree and the dwelling would have large front and rear gardens.

3. Planning History

3.1 There is relevant planning history to the development at this site which includes a larger site where the development of six new dwellings are under construction. The relevant history is as follows:

- Application 05/0638/FP/M, development of 9 x 5 bedroom detached dwellings and 5 x 4 bedroom detached dwellings - application withdrawn on 28 June 2005.
- Application 05/1455/FP/M for the development of 7 x 5 bedroom detached dwellings and 4 x 4 bedroom detached dwellings - refused by Planning Committee 25 October 2005. The applicants appealed against the Council decision and the Inspector dismissed the appeal.
- Application 06/01577/FUL for the development of six, 5 and 6 bedroom dwellings, the application was reported to Planning Committee on 4 September 2007 where the Committee resolved to grant planning permission. The current application site was not included in this latter application.
- Application 08/00446/FUL for the development of 1 detached dwelling - application withdrawn on 23 September 2008.

4. Constraints

4.1 The only constraint identified in respect of redevelopment on this garden land is the ecological interest in respect of possible use of the site by Great Crested Newts.

5. Relevant Policies

5.1 Relevant UDP Policies include:

- Policy D1: Design Quality
- Policy D3: Urban Structure
- Policy D4: Urban Grain
- Policy D6: Townscape and Landscape
- Policy D7: Scale - Height
- Policy D8: Scale - Massing
- Policy D9: Appearance
- Policy D10: Community Safety
- Policy D13: Sustainable Development (natural resources and energy use)
- Policy N1: Promotion of Nature Conservation
- Policy N5: Protection of Sites of Local Importance for Nature Conservation and Landscape Features of Value for Wildlife or Geology
- Policy N7: The Urban Forest
- Policy N9: Protection of Wildlife Species
- Policy H1: Housing
- Policy H6: Design of Housing Development
- Policy AM10: Provision for Cyclists
- Policy AM12: Parking and Servicing Provision

5.2 PPS1: Creating Sustainable Development and PPG3 - Housing are also relevant.

6. Publicity

- 6.1 Neighbouring residents have been informed of the application and a site notice displayed with time for comment expiring on 12 November 2008.
- 6.2 In response to the publicity of the application, four letters of objection have been received from residents at 27, 31 and 38C Broad Lane South and from Councillor Matt Holdcroft. The resident from 38C Broad Lane South has requested to speak before the Planning Committee. The reasons for objection include the following:
- Further disruption during construction
 - Cramped development
 - Loss of outlook
 - Highway safety
 - Ineffective traffic calming measures
 - Possible impact on wildlife
 - Intensity of development
 - Loss of privacy
 - Increased overlooking
 - Overbearing impact
 - Loss of tree
 - That the proposal is not really a bungalow but a two storey house.

7. External Consultees

- 7.1 Natural England confirm that as a mitigation strategy has been prepared for the development of this site and that a Natural England European Protected Species Licence has been issued, Natural England has no objection to this application subject to the Council securing, through the development control process, a Great Crested Newt mitigation scheme that is either the same as or equates to the one prepared in connection with the previous application.

8. Internal Consultees

- 8.1 Environmental Services comment that there are residential premises in close proximity to the site. In order to limit the potential for complaint, the following is recommended:
- Operational Hours during construction, including commercial vehicle movements to or from the site are restricted to 0800 - 1800 hours Monday to Friday and 0800 - 1300 Saturday and at no time on Sundays or Bank and Public Holidays. Environmental Services also confirm that there are no permitted processes within 250m of the proposed site.
- 8.2 The Council's Tree Officer confirms that the Pine tree in the centre of the site is diseased and therefore it would be appropriate to remove it.
- 8.3 Transportation confirm that the proposed garage is now of an appropriate scale to accommodate 2 cars. However, they remain concerned about the provision of 7 dwellings accessed off a private drive.

9. Appraisal

9.1 The key considerations in this case are as follows:

- The principle of backland development.
- Impact on neighbouring dwellings.
- Impact on trees and nature conservation.
- Transportation and access arrangements.

9.2 Principle of Backland Development

The surrounding area predominately consists of dwellings fronting onto main roads. However, there are now several examples of backland development along Broad Lane South, and more importantly, immediately adjacent to the site, there are the properties numbered 38A, B and C Broad Lane South and the new development of six dwellings to the rear of 44 Broad Lane South. In fact, this piece of land is somewhat of an oddity in not being developed and quite reasonably provides a plot of land to support a large detached dwelling whilst retaining adequate private amenity space for the new proposal and the existing dwelling fronting Broad Lane South. This development would accord with Government policy and make more efficient use of land in built up areas as required in Planning Policy Guidance Note No. 3: Housing (PPG3), without harming the character and appearance of the area.

With regard to vehicular and pedestrian access, the new private drive created from Broad Lane South to the six new dwellings under construction by Kendrick Homes, would provide the vehicular and pedestrian access to the site.

9.3 Impact on Neighbouring Residents

This application is a re-submission for a dwelling house in this location following the withdrawal of application 08/00446/FUL. That application was also for one dwelling, however, the applicant withdrew the application because following consideration of the proposed siting of the dwelling, this would have had unacceptable impacts on both its neighbouring properties, those at 38C Broad Lane South and the neighbouring property which is currently under construction where the scheme would have lead to an overbearing impact and loss of sunlight, daylight and outlook. The proposed new dwelling has now been re-sited and redesigned to take these issues into consideration. The proposed new dwelling has also been set further forward so that it is in line with the adjacent dwelling under construction, and also set forward of bedroom and bathroom windows at first floor and living room windows at ground floor of the adjacent property, 38C Broad Lane South. The side facing window of 38C Broad Lane South would now be set behind the rear elevation of the new dwelling and prevent loss of sunlight, daylight and outlook. The proposed roof of the dwelling has also been redesigned by the proposed creation of a full hip design rather than a clipped hip design to again lessen the impact on 38C Broad Lane South.

The proposed design of the new dwelling has similar elements to the adjacent properties. A full two storey element with gable design to the front is similar to that of the adjacent newly constructed properties. A single storey element with dormer windows in the roofscape relates to the adjacent bungalow at 38C Broad Lane South. The proposed roof height would step up from the adjacent bungalow but would be lower than the adjacent newly constructed two storey dwelling. This would provide an appropriate transitional building between the two existing residential buildings.

9.4 Impact on Trees and Nature Conservation

Although the site is not identified in the Unitary Development Plan as a Site of Local Importance for Nature Conservation or a Site of Importance for Nature Conservation, the site in the recent past has had a number of ponds and it is apparent from ecological analysis that Great Crested Newts may be migrating onto the site from the adjacent public open space in Walsall. With the previous application, the applicants

submitted a specialist detailed survey in respect of the Great Crested Newts. In addition to this survey, a mitigation report was submitted which were forwarded onto Walsall's Ecologist and English Nature for comment. The findings confirmed that the proposed scheme accords with published guidance. Prior to the construction of the adjacent six dwellings, Kendrick Homes implemented the mitigation measures which have now been extended to the rear of the application site in preparation for development of this land.

In respect of trees, there would be one tree affected by the proposed development which is not in a TPO and the Council's Tree Officer confirms that the tree is diseased and has a limited life and therefore it would be appropriate to remove this tree. New trees would be required by the recommended landscaping condition.

- 9.5 With regard to vehicular and pedestrian access, the new private drive created from Broad Lane South to the six new dwellings under construction by Kendrick Homes, would provide the vehicular and pedestrian access to the site. Although this area is not built to adaptable standards, in accordance with By Design, the provision of 1 extra dwelling would not be of significance to warrant a reason for refusal. During this year, the Council has installed traffic calming measures along Broad Lane to slow traffic in the interests of highway safety.

10. Conclusions

- 10.1 In consideration of the two immediately adjacent residential developments, the principle of providing one dwelling on this site would be appropriate, this site readily lends itself to the development of one infill dwelling. No. 40 Broad Lane South is the only dwelling remaining with a garden length in excess of 150m.
- 10.2 The proposed dwelling has been specifically designed and located to consider the immediately adjacent dwellings, it would be sited to the north east of 38C Broad Lane South therefore having little impact on loss of sunlight and daylight, in addition the side windows to 38 Broad Lane South would now lie behind the proposed new dwelling. With regard to the newly constructed dwelling, the proposed dwelling would be in line with this which has a blank gable and therefore no immediate impact. The dwelling has been designed to be a transitional element in the street scene rising from the single storey bungalow at 38C Broad Lane South to the two storey dwelling adjacent. The proposed vehicular access arrangements from the new access road would be appropriate for one additional dwelling. Traffic calming measures along Broad Lane South have already been installed to slow traffic in this area.
- 10.3 The proposed development would not have any impact on the ecology of the area, by virtue of mitigation measures already being in place and would only involve the loss of one tree which has been identified as being diseased.

11. **Recommendation**

11.1 Grant planning permission subject to the following conditions:

- Submission of samples of materials of construction.
- Large scale drawings in respect of window reveals and eave details etc.
- Landscaping of the site.
- Details of walls, fences and other means of enclosure.
- Details of hours of construction.
- Details of appropriate drainage of the site.
- Appropriate level or ramped access arrangements for people with disabilities.

Case Officer : Martyn Gregory

Telephone No : 551125

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01276/FUL

Location	40 Broad Lane South, Wolverhampton, West Midlands, WV11 3RY		
Plan Scale (approx)	1:2500	National Grid Reference	SJ 396006 300120
Plan Printed	20.11.2008	Application Site Area	1853m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/00343/FUL

WARD: Park

DATE: 07-Mar-08

TARGET DATE: 02-May-08

RECEIVED: 07.03.2008

APP TYPE: Full Application

SITE: 1 Connaught Road, Whitmore Reans, Wolverhampton, West Midlands

PROPOSAL: Change of use from hostel to offices and counselling rooms.

APPLICANT:

Aquarius Action Projects
2nd Floor
16 Kent Street
Birmingham
B5 6RD

AGENT:

COMMITTEE REPORT:

1. Site Description

This is a former detached house on the corner of Tettenhall Road and Connaught Road, it is 19th or early 20th Century in origin. The property has been used by the Aquarius Project since 1977. Aquarius are a charity that provide support and counselling for people overcoming addiction to alcohol, drugs and gambling.

2. Application Detail

- 2.1 Prior to 2006 Aquarius operated their support services and provided temporary accommodation for their clients at 1 Connaught Road. The residential element of the first floor has now ceased. Aquarius have continued to operate their project services from the ground floor, including providing counselling to clients.
- 2.2 The vacant first floor has been let, without planning permission, to Wolverhampton Primary Care Trust Womens' Service. There are 7 PCT staff based here, they are "outreach" social workers, their clients do not call at these premises. This application is to retain the use of the first floor as offices for the PCT.

3. Constraints

This property is within the Tettenhall Road Conservation area.

4. Relevant Policies

UDP Business and Industry Policy B6: Offices with respect to location of office development and Community Services Policy C1: Health, Education and Community Services.

5. Publicity

- 5.1 The application has been advertised by neighbour letter to adjacent properties and by press notice. One response received from 18 Tettenhall Road; the writer requests to speak to the Planning Committee before a decision is made on this application.

6. Internal Consultations

- 6.1 **Transport Strategy** - these proposals represent some intensification of use on this site. There will be some additional parking demand, however, on street parking is available on surrounding minor roads and around West Park, whilst Tettenhall Road and Connaught Road have parking restrictions.

The level of intensification appears to be relatively low and is therefore unlikely to lead to a significant impact on local on street parking. No objections therefore to this change of use.

- 6.2 **Conservation** – there is no objection to the change of use.

- 6.3 **Environmental Services** - no observations.

7. External Consultations

- 7.1 **West Midlands Police** - there are no reported incidents to the Police arising from these premises over recent years. As it appears that the existing use as offices and counselling rooms is to continue, there is no objection to this application.

8. Appraisal

- 8.1 No alterations to the building are proposed.

- 8.2 Prior to 2006 this building was a combination of residential hostel and offices and counselling rooms for Aquarius. It is now used solely as offices and counselling rooms.

- 8.3 An interpretation of UDP Office Policies would count against a newly established office use here, it is outside identified centres, though it is opposite and close to the Chapel Ash part of the town centre inset. However it is considered that the PCT should be allowed to remain on the first floor. Any planning permission should be personal to Aquarius and the PCT so that there can be control over any future changes. Reasons for supporting continuation of this use are:-

1. The occupiers continue to make good use of this property which is important to the Conservation Area.
2. It is reasonably compatible with surrounding uses which include West Park Hospital, hotel, veterinary premises, doctors surgery etc, private houses or flats are adjacent but it is not a purely residential area.
3. Tettenhall Road has good bus services.
4. Counselling and person care services have been established here by Aquarius for a long time.

5. Community Services Policy C1 and paragraph 11.2.1 lend support to this continued use.

9. Recommendation

- 9.1 Permit. Use to be personal to Aquarius and the PCT.

Case Officer : Ken Harrop

Telephone No : 550141

Head of Development Control – Stephen Alexander

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/00664/FUL

WARD: Ettingshall

DATE: 13-Aug-08

TARGET DATE: 12-Nov-08

RECEIVED: 13.05.2008

APP TYPE: Full Application

SITE: The Black Horse, Thompson Avenue, Wolverhampton, West Midlands

PROPOSAL: Residential development comprising the demolition of existing public house and erection of 20No. apartments and 4No. houses.

APPLICANT:

Blackhorse Venues Ltd
15 The Grange
Birmingham
B20 1BH

AGENT:

Intergrated Designs (Midlands) Ltd
38 Old Walsall Road
Birmingham
B42 1NP

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is located approximately 2km south of the city centre and consists of the Black Horse Public House, which dates from the 1930s and its associated parking. The public house ceased trading some time ago.
- 1.2 The site covers an area of approximately 0.28 hectares and fronts both Thompson Avenue and Dixon Street. The front of the public house and main pedestrian access to the building are on Thompson Avenue, whilst the vehicular access to the car park is from Dixon Street.
- 1.3 The immediate surroundings are predominantly residential in nature. With the houses being mostly modest, 1930s semis.
- 1.4 The public house is also two storeys, although significantly taller than the properties which surround it. The building has a high level of architectural detailing and provides a significant presence along one of the main arterial routes within the city.
- 1.5 Along the Dixon Street frontage are several poplar trees.

2. Application details

- 2.1 The applicant proposes the demolition of the existing public house and its replacement with 20 apartments, 4 houses and associated parking and landscaping.
- 2.2 The four houses would be in the form of two pairs of semi-detached properties, situated along Dixon Street either side of the vehicular access to the car park that would serve the flats. Each house would have on-plot parking at the front.
- 2.3 The apartments would be contained in one block, up to four storeys high, fronting Thompson Avenue. In total, 28 parking spaces would be provided for the apartments. The majority of these would be located in the centre of the site between the semi-detached houses and the apartments, with access from Dixon Street. Eight of these

spaces are provided in front of the apartments with access from Thompson Avenue. No disabled, motorcycle or cycle spaces are indicated on the proposed plans.

- 2.4 An area of shared amenity space would also be provided to the rear of the apartments. Each of the semi-detached properties would have a private garden.
- 2.5 The architectural appearance of the proposed properties is contemporary and although materials are not specified, it appears that the predominant materials are brick and render.

3. Constraints

- 3.1 Landfill Gas Zone
Mining Areas

4. Relevant policies

4.1 National Policies

PPS1 Delivering Sustainable Development
PPS3 Housing

4.2 UDP Policies

D1 Design Quality
D2 Design Statement
D3 Urban Structure
D4 Urban Grain
D5 Public Realm Public Open Private Space
D6 Townscape and Landscape
D7 Scale - Height
D8 Scale - Massing
D9 Appearance
D10 Community Safety
D11 Access for People with Disabilities part
D13 Sustainable Development Natural Energy
D14 The Provision of Public Art
HE1 Preservation of Local Character and Dist
C1 Health, Education and Other Community Services
C3 Community Meeting Places
H3 Housing Site Assessment Criteria
H6 Design of Housing Development
H9 Housing Density and mix
AM1 Access, Motability and New Development
AM12 Parking and Servicing Provision

AM15 Road Safety and Personal Security

4.3 Supplementary Planning Guidance

SPG3 Residential Development

5. Publicity

- 5.1 The application was advertised by press and site notices. Letters were also sent to neighbouring occupiers. In total, four letters of objection or concern were received. These objectors included CAMRA & Wolverhampton Civic Society. Grounds of objection/points of concern are:-

- Responsibility for boundary fences
- Dust during demolition
- Loss of light
- Loss of TV signal
- Loss of pub use
- Loss of pub building
- Building has been allowed to fall into ruin
- Overdevelopment
- Poor design – too high – unbalanced
- Flats not required
- New houses will be disturbed by communal car park
- Unsecured car park could attract antisocial behaviour

6. Internal consultees

- 6.1 Conservation - A recent survey of public houses which are considered to be architecturally or historically important has recently been undertaken. This report included the Black Horse. The Black Horse is considered to be a fine example of the “reformed” or “improved” public houses, which developed between the two World Wars.
- 6.2 Completed in 1933 for Davenports Brewery Ltd, to the design of W Norman Twist, the building was considered a building of considerable architectural merit and featured in “Architecture Illustrated” in 1933.
- 6.3 The report also states that the design is clearly Twist’s own version of Bateman’s Black Horse, Northfield, of 1929, also built for Davenports, and by consent the finest piece of Brewers Tudor in England (listed grade II*). This pub, though smaller, is its equal in architectural quality.
- 6.4 The future use of this property as a public house may be both unviable and undesirable. The opposition to the building and the recent press articles calling for the demolition of the building focus on the anti-social behaviour associated with its use. This problem could be resolved without having to demolish the building.
- 6.5 The building is important to local distinctiveness. Its demolition would be contrary to one of the key principles which underpins the conservation and design policies within the UDP which seeks to retain and reinforce local distinctiveness. Policy HE1 is particularly relevant.
- 6.6 The existing building is one of considerable quality. The building is a landmark feature, which has significant presence on a main route into Wolverhampton. The building should be retained and sensitively converted to residential use.
- 6.7 Transportation - In its present form, the application is not supported. The location is classified as highly accessible due to the frequent bus services stopping close to the site. The plans indicate parking off Dixon Street and on the Thompson Avenue frontage. The access off Dixon Street is acceptable as the wide footway would allow good visibility. Separate access is provided for pedestrians, though the internal pedestrian routes do not appear to have been considered.

- 6.8 Whilst there are currently two access points from Thompson Avenue, there is concern about the proposed frontage parking and the preference would be parking accessed from Dixon Street. If enough parking cannot be identified then the number of apartments should be reduced.
- 6.9 Parking bays suitable for disabled users and for motorcycles should be indicated. Cycle storage convenient to the apartments should also be identified. A strategy for refuse collection should also be included.
- 6.10 It is not clear from the application how refuse would be collected from the apartments. The applicants should demonstrate, by means of swept path drawings, that a refuse truck can access the development. If this is not possible then a refuse store should be sited within 25m walking distance of the adopted highway.
- 6.11 Environmental Services - Have concern regarding the proposed location of some of the ground floor apartments adjacent to refuse stores. Furthermore, both Thompson Avenue and Dixon Street have high levels of road traffic noise. If approved, a noise insulation scheme should be submitted.
- 6.12 The use of the land prior to the building of the pub may have led to unacceptable levels of contamination, which could affect the redevelopment of the site. A site investigation and remediation strategy should therefore be provided prior to any development.

7. External consultees

- 7.1 Severn Trent Water - No objection in principle to the proposed development. Subject to a condition requiring a hydrological and hydrogeological assessment of the site.
- 7.2 Centro - Have no objection.

8. Appraisal

- 8.1 The main issues are:

- The loss of the public house as a community facility
- Residential use
- Demolition of the public house
- Design
- Private amenity space
- Neighbour Amenity
- Parking

Loss of Public House as Community Facility

- 8.2 The proposed application results in the loss of a site that was used as a community meeting place, as defined under Policy C3 of the Wolverhampton UDP. The applicants have not provided any information to demonstrate that the building is no longer required as a 'community meeting facility'. However there is a history of anti-social behaviour at the premises and the restoration of the building and conversion to residential use is desirable. It is considered that, cumulatively, these represent sufficient reasons to justify an exception to the policy in this instance.

Residential Use

- 8.3 In principle, the site is suitable for residential development as the area is mainly residential. In this location, over 400m from the Parkfield local centre and over 500m from the Dudley Road/Blakenhall local centre, a density of 30-50 dph would be appropriate. Such a density would also be in keeping with the surrounding area and would preserve the character of the area. The application presents a density of 85 dwellings per hectare, which is inappropriate for this site. Reasons for the inappropriateness of the density on this site are discussed below.
- 8.4 Although Planning Policy Statement 3 - Housing (PPS3) stresses the need to achieve the effective and efficient use of land, it makes no reference to maximum densities. Policy H9 remains consistent with PPS3 stating a range of preferred densities in different locations. Additionally, whilst PPS3 states that the density of existing development should not stifle change, it also reflects the emphasis on high quality design set out in Planning Policy Statement 1 - Delivering Sustainable Development (PPS1).

Demolition of Public House

- 8.5 The Black Horse is a landmark building which makes a positive contribution to the local streetscene. Where practicable, refurbishment and conversion to suitable uses should be encouraged, since it provides the area with a sense of place and reflects the past in a very tangible way.
- 8.6 The demolition of the building would be contrary to Policies HE1 (Preservation of Local Character and Distinctiveness) & D13 (Sustainable Development) of the UDP, which seek the reuse of existing buildings, wherever possible, in the interests of the proper and efficient use of resources. It also fails to ensure the preservation and enhancement of a townscape feature of value, contrary to Policy D6 (Townscape and Landscape), which requires that existing buildings of local distinctiveness or townscape value should be retained and integrated into new development. Its demolition would therefore be regrettable.
- 8.7 In an attempt to justify the demolition of the building, the applicant has submitted a feasibility study and structural survey of the premises. An initial assessment of the documents suggests that the building is not physically beyond conversion or that conversion would be financially prohibitive. In order to be assured of this, the applicants have been asked to provide a breakdown of the figures included in the survey and an explanation of how those figures were arrived at. This information has not been provided.
- 8.8 Unfortunately, since the submission of the application, the condition of the building has deteriorated. During the week commencing the 3rd of November 2008, the roof began to be stripped. At the time of writing, the condition of the exterior of the premises still appears to be in sound condition. Access to the interior of the premises has not been possible, but if the building was to be converted, it is unlikely that much of the existing interior would be retained.
- 8.9 Nevertheless, should the demolition of the existing building be considered appropriate, the replacement buildings should be of architectural merit, particularly given the prominence of the site.
- 8.10 The demolition of a public house does not constitute development and so does not fall under planning control.

Design

Local Distinctiveness

- 8.11 Local distinctiveness is a key aspect of sustainable development. The Government has adopted the CABI document 'By Design' as having the status of Planning Policy Guidance, to be followed in the preparation and determination of planning applications. The document requires new development to be designed with its context in mind and to respect or enhance the local distinctiveness of the area. It defines 'Local Distinctiveness' as "the positive features of a place and its communities which contribute to its special character and sense of place". 'By Design' also requires high standards of architectural and urban design.
- 8.12 Similar requirements are contained in PPS1, which states that developments should create or reinforce local distinctiveness. It also states that good design should contribute positively to making places better for people and that design which fails to take the opportunities available for improving the character and quality of the area should not be accepted.
- 8.13 UDP Policy D1 encourages all new development to be of a high quality which contributes to "creating a strong sense of place", "poor and mediocre design will be unacceptable".

Layout

- 8.14 The principle of having some development fronting both Thompson Avenue and Dixon Street, with the majority of the amenity space and parking to the rear of the buildings, is acceptable.
- 8.15 However, a common characteristic of the area is the relatively large gaps in between the houses which generates a rhythm and establishes a sense of spaciousness along both roads. Along Dixon Street, the proposed pair of semi-detached properties responds to this pattern. Unfortunately, the apartments fronting Thompson Avenue do not respond well to the existing character. The proposed apartments would occupy the majority of the built frontage leaving little space to the adjacent properties. To the north of the apartments, the gap would be less than one metre, just wide enough to allow pedestrian access to the rear of the flats. However, on the southern side of the apartments the gap is too small to even allow for pedestrian access.
- 8.16 Four parking spaces are proposed in front of the apartment block, adjacent to Thompson Avenue. Transportation have raised concerns regarding these spaces, but there are also concerns about the visual impact of these spaces within the streetscene and it is considered that they are unacceptable.

Appearance

- 8.17 The contemporary approach to the architecture is broadly supported in principle as it is desirable to have representative buildings of all periods, including our own. Nevertheless, the applicants have provided little information to justify the appearance of the proposal.
- 8.18 Despite the proposed apartment block being larger than many of the surrounding buildings, little attempt has been made to promote a visual hierarchy within the elevations, through proportion or detailing.
- 8.19 The visual appearance and architecture of the proposed apartments does not demonstrate a high standard of design and fails to take the opportunities available for improving the character and quality of the area, contrary to UDP Policies D1, D6 and D9, and government guidance in PPS1.
- 8.20 There is no objection to the appearance of the proposed semi-detached properties along Dixon Street.

Scale & Mass

- 8.21 It is recognised that the existing public house is considerably larger than the majority of the properties which surround it. Nevertheless, its size is broken down through architectural features and the roofscape. The proposed apartment building would be considerably larger than the pub. The footprint of the public house is much smaller than that of the proposed apartments, with wider gaps either side. Also, a significant part of the pub building is its pitched roof, which makes it far more visually recessive than the relatively flat roof of the proposed apartments.
- 8.22 The proposed apartments would occupy a greater percentage of the frontage along Thompson Avenue. This, combined, with the scale of the proposal would make the development appear cramped.
- 8.23 The applicant has sought to justify the proposed scale of the apartments through comparison with the existing public house. However, the comparatively larger scale of the public house to the surrounding properties reflects, in part, the importance of the building and its significance when it was built to the social life and sense of community of the area. If demolished, the building should no longer set the character of the area.

Private shared amenity space

- 8.24 The suggested amenity space for the apartments is significantly below that which would be necessary for a scheme of this size. Figure 21, p36, of Wolverhampton's Supplementary Planning Guidance 3 "Residential Development" gives an indication of the amount of amenity space which should be provided.
- 8.25 The apartments have the potential to accommodate 57 persons ((17 rooms x 3 bedspaces) + (3 rooms x 2 bedspaces) = 57 spaces). The shared garden provision for this amount of people would equate to approximately 875 square metres. If, an occupancy level of 50% is assumed then the required amount of amenity space would be approximately 500 square metres. The area shown on the submitted plans is little more than 150 square metres in size and is not considered acceptable.

Neighbours amenity

- 8.26 Part of the proposed amenity space is indicated as a 'children's play area'. This is illustrated in close proximity to the boundary with number 54 Thompson Avenue. It is considered that in the proposed location, the play area would be likely to generate an unacceptable amount of disturbance for neighbouring occupiers and is therefore unacceptable.
- 8.27 Along the boundary with 44 Thompson Avenue, the proposed apartment block would extend approximately 2m beyond the rear of number 44. In this location the apartment block would be three storeys high. It is considered that this relationship would have an unacceptable overbearing impact on the occupiers of the neighbouring property. Although the gap between number 54 Thompson Avenue and the proposed apartments is slightly larger than that on the southern side. It is also considered that the proposed apartments would have an overbearing impact on that property. Furthermore, due to the orientation of the site, it is also likely to cause significant overshadowing of number 54, adversely affecting the amenities of the occupiers.

Parking

- 8.28 The issues regarding the submission have been covered in some detail by the Transportation Officers, see 'internal consultations' section (paragraphs 6.7-6.10).
- 8.29 The parking on the Thompson Avenue frontage is unacceptable in streetscene terms. There are insufficient parking spaces at the rear to serve the number of flats proposed. No provision is included for disabled users, cycles or motorcycles.

9. Conclusion

- 9.1 It is considered that, in this case the use of the site for residential purposes would be acceptable in principle.
- 9.2 The existing building is considered to be of significant architectural and historical merit and insufficient information has been provided to justify why the building cannot be converted to residential use, rather than be demolished.
- 9.3 The proposed residential development is considered to represent poor design and would provide inadequate private shared amenity space for future occupiers of the proposed apartments.
- 9.4 The visual appearance and architecture of the proposed apartments does not demonstrate a high standard of design, would have a detrimental impact on the amenity of adjacent occupiers and has failed to evolve from an understanding on the local character of the area and would do little in the way to create a sense of place.

10. Recommendation

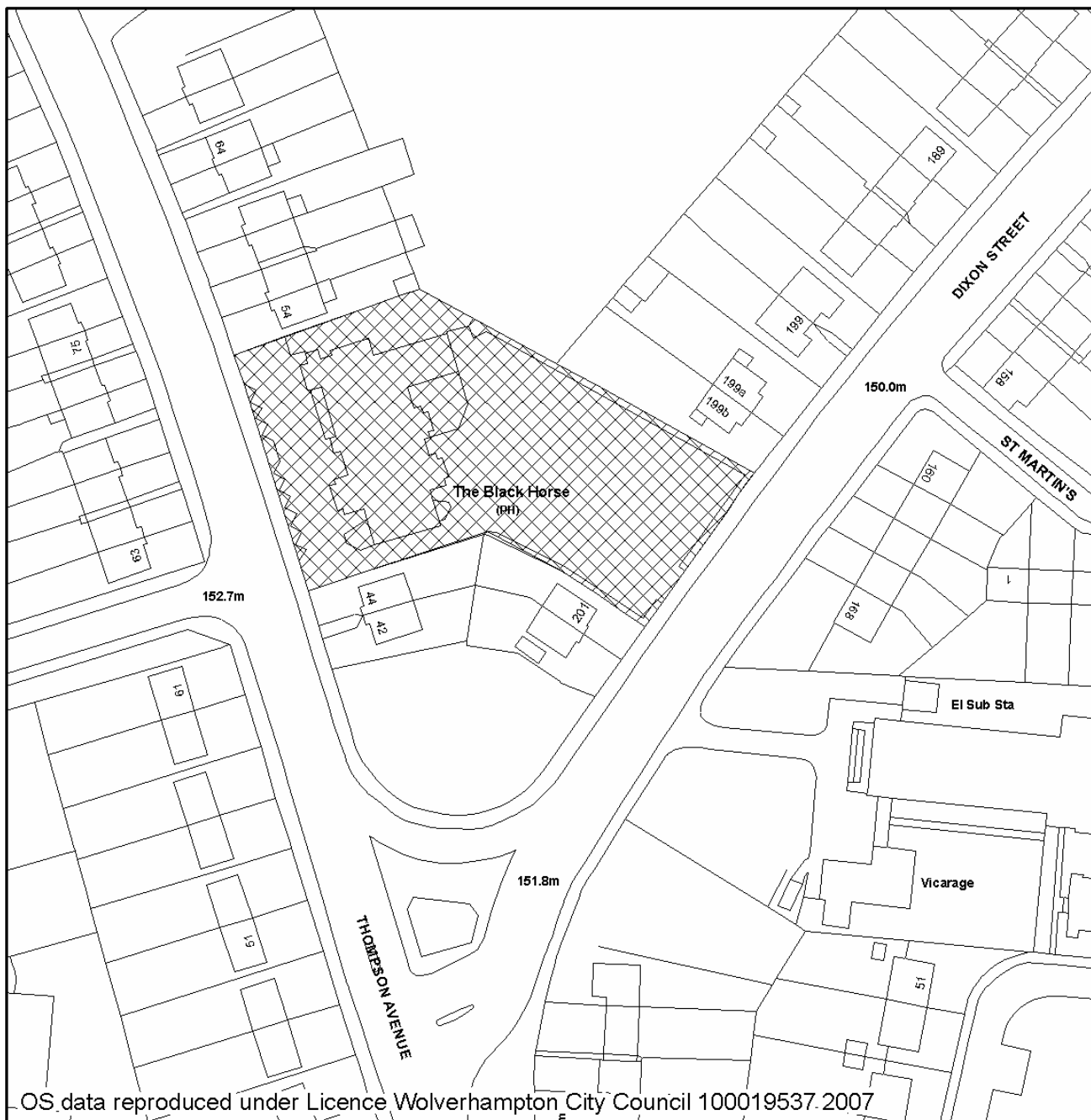
- 10.1 Refuse, for the following reasons:

1. The proposed development would involve the demolition of the Black Horse a building of high architectural quality and a local landmark.
Contrary to policies D1, D6, D13 & HE1
2. The proposed development would represent an overdevelopment of the site, would provide inadequate shared amenity space for the apartments, a poor relationship with adjacent properties and inadequate car, cycle and motorcycle parking.
Contrary to policies D1, D4, D6, AM1, AM12 & SPG3
3. The building would appear as a cramped, out of character, over dominant and incongruous feature in the streetscene.
Contrary to policies D1, D7, D8 & SPG3
4. The visual appearance and architecture of the proposed building does not demonstrate a high standard of design, would be detrimental to the character and appearance of the area and fails to take the opportunities available for improving the character and quality of the area.
Contrary to policies D1, D9 & SPG3
5. The proposed apartment block would, by reason of its height, bulk and position relative to the house & gardens of the adjoining properties have an unacceptable overbearing & overshadowing impact and significantly reduce the outlook presently enjoyed by the occupiers of those houses.
Contrary to policies D1, D7, D8 & SPG3
6. The proposed location of the children's playground would create unacceptable levels of noise which would be detrimental to the amenities of neighbouring occupiers.
Contrary to policies D1 & SPG3

Case Officer : Richard Pitt

Telephone No : 551674

Head of Development Control – Stephen Alexander



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Planning Application No: 08/00664/FUL

Location	The Black Horse, Thompson Avenue, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 392116 296889
Plan Printed	20.11.2008	Application Site Area	2819m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01174/OUT **WARD:** Bushbury North
DATE: 12-Sep-08 **TARGET DATE:** 12-Dec-08
RECEIVED: 12.09.2008
APP TYPE: Outline Application

SITE: Land On West Corner Of Junction With M54, Stafford Road, Wolverhampton, West Midlands

PROPOSAL: Outline Application. Proposed mixed office (B1a) and Hotel (C1) development with ancillary car parking and landscaping.

APPLICANT:
Ask Developments Ltd
C/o Agent

AGENT:
Tweedale Ltd
265 Tettenhall Road
Wolverhampton
WV6 0DE

COMMITTEE REPORT:

1. Site Description

- 1.1 This is a prominent site at a 'gateway' to the City, which is approximately 1.4 hectares in size and is located within a defined business area.
- 1.2 The site is situated 3.75 miles to the north of Wolverhampton City Centre, on the western side of the A449 Stafford Road adjacent to junction 2 of the M54. The M54 motorway is to the north of the site and runs east to west along a raised embankment and the motorway slip road is between the site and the motorway. Adjoining the western and southern boundaries of the site are large industrial and commercial premises. On the eastern side of the A449, is Wolverhampton Business Park, which includes high quality buildings behind landscaped frontages.
- 1.3 The site, which is generally level, is currently used for the storage of heavy goods vehicles and trailers.
- 1.4 Vehicular access into the site is from the M54 slip road at Junction 2 and an egress is provided onto the A449.
- 1.5 There are a number of trees on site that are of amenity value.

2. Application Details

- 2.1 The application seeks outline permission for the erection of two detached office buildings and one detached hotel building with sixty three bedrooms.
- 2.2 The buildings would follow the curved site frontage. The 3 storey hotel is proposed in the north-west corner of the site, facing onto the M54 slip road. The centrally positioned office building, would have four storeys, and the office building to the south would have three storeys.
- 2.3 The proposed development would provide 4,995 square metres of B1 office floor space and 750 square metres of C1 hotel floor space. There would be 65 car parking

spaces for the hotel including 3 disabled parking bays, and 185 spaces including 8 disabled parking bays, available for use in association with the office development. The proposals include an access from the hotel car park through to the office car park and thereby to the exit onto the A449, controlled by a barrier to prevent unauthorised use when the offices are closed. A service lay by has also been provided for the hotel

- 2.4 The proposed buildings would have a contemporary design and would predominately be constructed from brick, cladding panels and glazing.
- 2.5 The applicant anticipates that the development would represent a £7.5 million investment and would result in 410 full-time jobs and 20 part-time jobs.

3. Planning History

- 3.1 99/0534/OP - Development of a four storey hotel, two restaurants, drive thru outlet and associated parking. Granted 28.10.1999.
- 3.2 94/1234/OP - Three storey motel, restaurant, petrol filling station, associated external works and new highway access. Granted 12.05.1998 by Secretary of State
- 3.3 C/3626/89 - Formation of highway access to A449 Stafford Road for hotel complex. (Hotel complex on transferred South Staffs application 1030/89). Refused 06.04.1995.
- 3.4 89/1030 – Hotel Complex – Refused 06.04.1995
- 3.5 08/00467/OUT – Citygate Park, Outline application for a 9 storey hotel, offices, restaurants and children’s nursery (access, appearance, layout and scale submitted for approval) – Delegated authority to the Director for Sustainable Communities to determine.

4. Constraints

- 4.1 Defined Business Area
145m Tolerance zone around high pressure gas-pipe

5. Relevant Policies

5.1 National Policies

PPS1 Delivering Sustainable Development
PPG4 Industrial, commercial development and small firms
PPS6 Planning for Town Centres (Draft PPS6)
PPG13 Transport
PPG24 Planning and noise
PPG25 Development and flood risk

5.2 Unitary Development Plan Policies

D1 Design Quality
D2 Design Statement
D3 Urban Structure
D4 Urban Grain
D5 Public Realm Public Open Private Space
D6 Townscape and Landscape
D7 Scale - Height

- D8 Scale - Massing
- D9 Appearance
- D10 Community Safety
- D11 Access for People with Disabilities part
- D12 Nature Conservation and Nature Features
- D13 Sustainable Development
- D14 The Provision of Public Art
- EP1 Pollution Control
- EP3 Air Pollution
- EP4 Light Pollution
- EP5 Noise Pollution
- EP6 Protection of Groundwater, Watercourses and Canals
- EP9 Sustainable Drainage Arrangements for Development
- SH1 Centres Strategy
- SH2 Centre Uses
- SH3 Need & the Sequential Test
- N7 The Urban Forest
- B1 Economic Prosperity
- B3 Business Development Allocations
- B5 Design Standards for Employment Sites
- B6 Offices
- B7 Loss of City Centre Offices
- B9 Defined Business Areas
- B10 Redevelopment of Employment Land and Premises
- B12 Access to Job Opportunities
- B13 Business Tourism, Hotel and Conference Facilities
- R4 Development Adjacent to Open Space
- AM1 Wolverhampton – The Accessible City
- AM7 Travel Plans
- AM9 Provision for Pedestrians
- AM10 Provision for Cyclists
- AM12 Parking and Servicing Provision
- AM15 Road Safety and Personal Security

5.3 Supplementary Planning Guidance

SPG16 Provision of Public Art

6. Publicity

6.1 The application was advertised by press notice, site notice and neighbour letters. No response received.

7. Internal consultees

7.1 **Transportation Development** – no objection in principle subject to conditions relating to the submission of a revised Travel Plan, to include amongst other things a car park management plan. Further details of cycle parking facilities, auto track drawings demonstrating the movement of a large service vehicle through the site and the provision of signage, road markings and pedestrian crossing facilities are also required and should be conditioned.

7.2 **Environmental Services** request further information, and recommended conditions in relation to noise, acoustic glazing, ventilation and access for deliveries and collection of goods and refuse.

- 7.3 **Building Control** – access for fire appliances appears satisfactory.
- 7.4 **Access Team** make detailed comments and recommendations relating to Part M of the Building Regulations. A lighting scheme for the car parking areas should be conditioned.
- 7.5 **Landscape** – Detailed soft and hard landscaping scheme should be a condition.

8. **External Consultees**

- 8.1 **The Environment Agency** objects to the proposals as a Flood Risk Assessment has not been submitted.
- 8.2 **Severn Trent Water** has no objection in principle subject to the inclusion of a condition requiring the developers to submit drainage details incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context.
- 8.3 **National Grid** – A gas pipeline runs along the north-east of the site. It is not acceptable to construct habitable buildings within three metres of this pipeline. Where the access road and parking areas cross over the pipeline there would need to be satisfactory protection provided.
- 8.4 **South Staffordshire District Council, Centro and West Midlands Police** – No objections.
- 8.5 **Transco and Highways Agency** – Comments awaited.

9. **Appraisal**

- 9.1 The key issues to be considered when determining this application are:

- Principle of development and impact on centres
- Design and layout
- Access and parking
- Flood risk protection
- Public art

Principle of development and impact on centres

- 9.2 The potential of the proposed development for job creation and other planning and regeneration benefits are material to the determination of the application. This gateway site is currently underutilised, for vehicle and trailer storage. The applicant states that the proposals will result in a landmark development befitting of this gateway site and anticipates that the proposed development would represent a £7,500,000 investment and would result in 430 jobs.
- 9.3 There is a recognised correlation between cities which offer a high quality environment and a successful local economy. This is a gateway location, and the buildings would be prominently located on an important route into the City and within a regeneration corridor. The proposed buildings and infrastructure demonstrate a high architectural standard of design and are of a scale in context with the surroundings and would be likely to give a good impression to visitors to the city and facilitate inward investment.
- 9.4 Notwithstanding the perceived regeneration benefits of developing this gateway site, this has to be balanced against the potential to undermine centres, in particular the City Centre.

- 9.5 The application site is within a Defined Business Area (DBA). Policy B9 states that within these areas, B1 (Business), B2 (General Industrial) & B8 (Storage & Distribution) uses will be acceptable, whilst other uses will need to be of an appropriate scale, nature and location to serve the DBA or be ancillary to the predominant use. This application proposes two main uses; office (B1a) and hotel (C1).

Hotel

- 9.6 The applicant states that a previous application establishes that a hotel is acceptable in principle at this site, and that this application is 'live' due to it being secured through the implementation of access works. However, both previous permissions were granted in a different policy environment and both permissions include conditions which require that approval of reserved matters shall be obtained from the local planning authority before any development is commenced. There is no record of reserved matters being approved and without such approval the access works carried out would not have been authorised by permission and would not constitute the implementation of the permission. On that basis, both permissions have expired.
- 9.7 Even if the applicant's contention were true and it were possible to build a hotel under the extant permission, little weight would be given to this fall back permission because it is considered unlikely that anyone would now wish to implement this aspect of a nine or ten year old permission. The proposed hotel requires justification, in terms of current local and national planning policies, which states that such uses should be within or immediately adjacent to defined centres.
- 9.8 It is accepted that there is a specific demand for business hotels in this part of the City, due to the type of business provision and future aspirations for the Stafford Road Corridor and that provision in the City Centre can not adequately meet this specific demand. However, the extent of this need over and above existing provision (the Hotel at Wolverhampton Business Park), commitments (notably the 130-bed Hotel at i54) and the hotel element of the Citygate Park application (08/00467/OUT) have not been fully addressed by the applicant in the supporting information.
- 9.9 It is considered that the supporting information does not convincingly or robustly justify that a hotel is required to meet a "need" over and above existing commitments. Indeed, if permission were granted, there are concerns that this could result in an over-provision of hotel accommodation in this area of the city which risks undermining future investment in hotel provision within centres and consequently impacting upon the vitality and viability of centres, particularly the City Centre (PPS6 and Policy SH3).
- 9.10 The applicant has been requested to submit evidence to demonstrate compliance with "PPS6". The supporting information should be convincing and robust in justifying that a hotel on the Treetops site is required to meet a "need" over and above existing commitments and taking account of the Citygate Park proposal. The applicant has been requested to submit further information prior to Planning Committee and an oral update will be provided.

Office

- 9.11 Policy B6 states that Wolverhampton City Centre will be the primary location for major new office development proposals. Office development of an appropriate scale will also be encouraged in Bilston and Wednesfield Centres, District and Local Centres and other specific locations. Elsewhere, office development will only be permitted where it is ancillary to an existing or proposed industrial or B8 use or where a need has been identified and a sequential approach to site selection has shown that the proposed location is the sequentially preferred location.
- 9.12 Policy B6 relates to offices, and Table 9.1 of the UDP identifies Wolverhampton Science Park specifically for office provision within the Stafford Road Corridor. As the proposal is for a centre-use in an out-of-centre location, the applicant has been

requested to provide a robust justification of this element in terms of the PPS6 criteria, including the sequential test.

- 9.13 The applicant has submitted an appraisal on the availability and demand for offices in Wolverhampton. Whilst this information is helpful, it does not sufficiently demonstrate that B1(a) office provision cannot be accommodated in either sequentially preferable sites, or within existing designated commitments, such as existing capacity at Wolverhampton Business Park.
- 9.14 It is considered unlikely that the office element can meet the SH3 and PPS6 tests, but it may be acceptable as an exception to policy, if it can be shown that there are site specific reasons and a qualitative and regenerative argument for overriding the office element at this gateway location. In addition to demonstrating this, the applicant has been requested to demonstrate why the site can not be developed for uses that are acceptable in policy terms.
- 9.15 If the local planning authority is minded to grant permission as a departure from the development plan, because the proposal is for a mixed commercial development of more than 5,000 m², the application would need to be referred to the Secretary of State.

Design and layout

- 9.16 The three proposed buildings would be located along the curved frontage of the site. Although the central building is shown set back slightly from the other building due to the proximity of a gas pipeline, it is considered that there would be a strong built frontage onto the A449 and the M54. The parking areas would be provided to the rear of the site away from general view and this is welcomed. It is considered that the proposed layout of the buildings and parking areas is acceptable.
- 9.17 The proposed four storey office building would be centrally positioned and the three storey buildings would be either side. It is considered that the height and mass of the proposed buildings would respond positively to the gateway location, successfully emphasising the prominence and importance of this 'gateway' site, providing strong identity and acting as a good point of orientation. However, there would appear to be scope for increasing the height of the central building to give the overall development more definition and create a more distinctive landmark gateway feature. The applicant is considering this recommendation and has been requested to submit amended plans prior to Planning Committee. An oral update will be provided at Committee.
- 9.18 The proposed buildings would predominately be constructed from brick, cladding panels and glazing. In the Design and Access Statement, it is stated that the colours and types of materials are to be agreed with the local planning authority at a later stage. This could be conditioned.
- 9.19 The architectural detailing and design of all of the proposed buildings is considered to be of a high standard. The entrances are suitably positioned and the architectural detailing would aid orientation and legibility.
- 9.20 The central office building incorporates a particularly impressive area of full height glazing. This high level glazing would create a focal point for the built frontage when viewed from the north and east and will appear particularly visually striking when viewed from the adjacent M54.
- 9.21 The design of the hotel has also been carefully considered and its prominent eastern corner is proposed to be emphasised by added height and the use of feature cladding. As a result of a high standard of architectural design and the use of appropriate materials, the hotel would have a strong visual presence and make a positive contribution to this gateway location.

- 9.22 There are a number of trees on site that are of amenity value. A tree survey and report and details of trees to be retained have been requested.

Access and parking

- 9.23 The site layout proposes 65 parking spaces for the hotel development and 186 parking spaces in total for the office developments. Disabled parking is located adjacent to the main entrances for all buildings. The level of parking proposed is considered acceptable.
- 9.24 Secure and covered cycle and motor cycle parking areas would be provided between the office units and adjacent to a staff seating area, and this is welcomed. The width of the pedestrian and cycle access is inadequate. This can be dealt with by condition as can signage of shared routes.
- 9.25 An appropriate access from the main car park to the motorbike parking should be provided, along with signage advising riders to dismount for the safety of pedestrians and cyclists. These matters could be dealt with by conditions as could car park signage, road markings and details of pedestrian crossings.

Flood risk protection

- 9.26 Although the site is only within Flood Risk Zone 1, the lowest level of risk, because the site has an area of over a hectare a Flood Risk Assessment (FRA) is required. However, an FRA has not been submitted and on that basis the Environment Agency object. The absence of an FRA is sufficient reason in itself to refuse the application. However, it is understood that the applicant has engaged in discussions with the Environment Agency with a view to submitting a FRA that will result in the removal of the objection.

Public Art

- 9.27 Public art provision is required in accordance with UDP Policy D14 and SPG No.16. The applicant proposes that the public art be provided within the landscaped area in front of the central office building and facing onto the A449 and M54. The detailed design of the public art could be conditioned.

10. Conclusion

- 10.1 While the development would have regeneration benefits it would introduce centre uses into an inappropriate location, which would be contrary to the Council's centres strategy. It has not been demonstrated that this would not have a detrimental impact on the health of centres.
- 10.2 The proposed buildings would demonstrate a high standard of architectural design, be in scale and character with the surroundings and would act as a 'gateway' feature close to the M54.
- 10.3 There is an outstanding objection from the Environment Agency which needs to be resolved through the submission of a satisfactory Flood Risk Assessment.

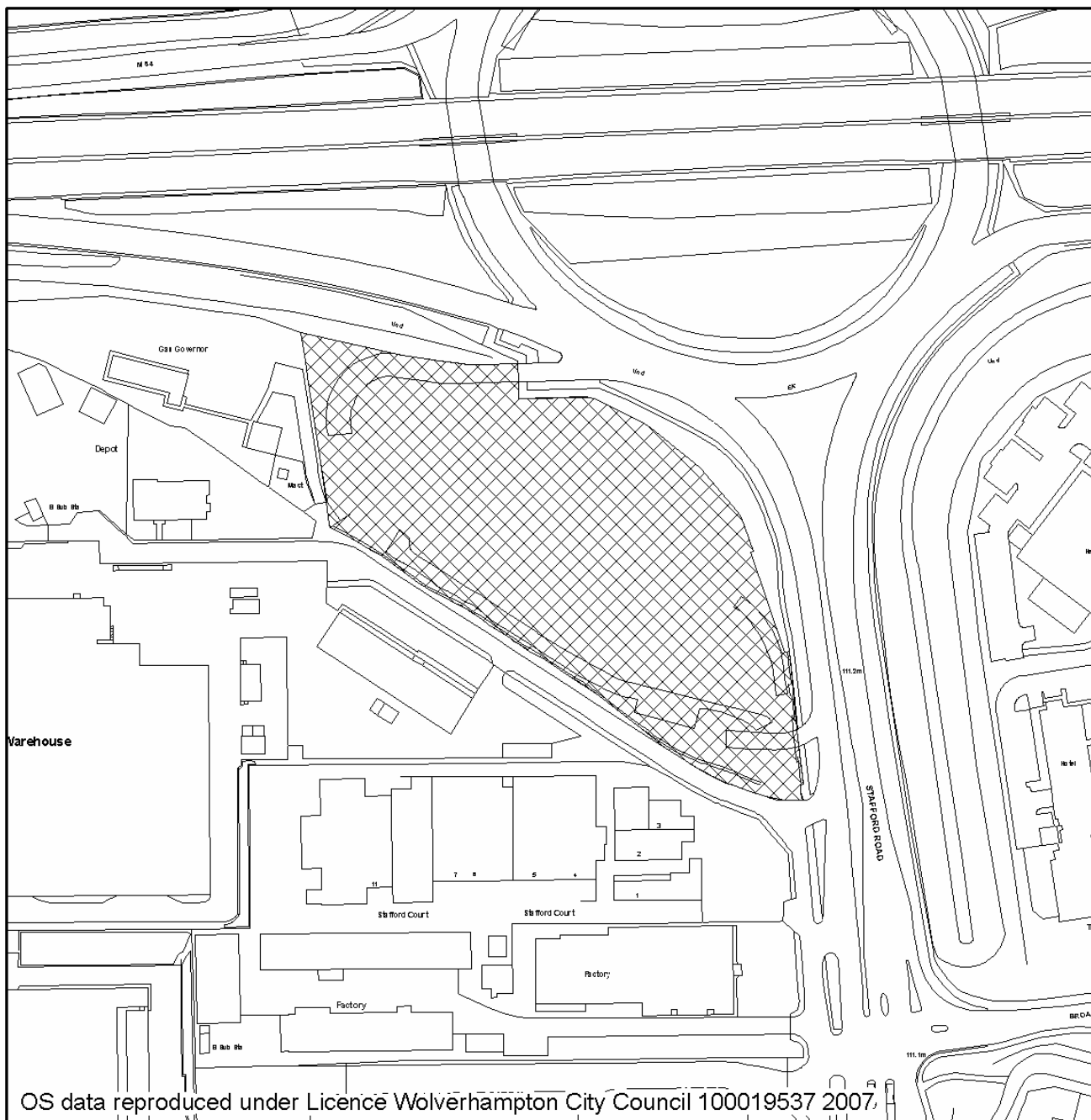
11. Recommendation

- 11.1 Delegated authority to the Director for Sustainable Communities to further consider the issues particularly relating to centres policies and any comments received from consultees and to determine the application accordingly following resolution of the EA objection, unless called in by the Secretary of State.

Case Officer : Phillip Walker

Telephone No : 555632

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01174/OUT

Location	Land On West Corner Of Junction With M54, Stafford Road, Wolverhampton, West Midlands		
Plan Scale (approx)	1:2500	National Grid Reference	SJ 391525 304372
Plan Printed	20.11.2008	Application Site Area	13719m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01244/FUL

WARD: Wednesfield South

DATE: 01-Oct-08

TARGET DATE: 26-Nov-08

RECEIVED: 01.10.2008

APP TYPE: Full Application

SITE: 50 Moathouse Lane East, Wolverhampton, West Midlands, WV11 3DD

PROPOSAL: Change of use to Hot food takeaway and external flue to rear.

APPLICANT:

Mr Amanprem Randhawa
46-48 Moathouse Lane East
Wolverhampton
West Midlands
WV11 3DD

AGENT:

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is a retail unit and from the information supplied on the application forms appears to have been vacant since July 2006.
- 1.2 The property is situated within a parade of shops comprising eight shops of which two are vacant (including the application site), a hairdressers, a tenants and residents association office, two units trading as one off- licence/newsagent, a clothes shop and a cake shop. The building is three stories in height with residential accommodation on the upper floors. The area surrounding the site is predominantly residential in character and to the south-east is a primary school.
- 1.3 To the front of the property is a pavement beyond which is an access road providing parking for visitors of the shops whilst to the rear are detached garages. These are accessed off Moat Green Avenue to the rear where there is a set of gates which were left open on the officer's site visit. To the side of the shops is a passageway which is being used as a pedestrian route for people accessing the shops from Moat Green Avenue.

2. Application details

- 2.1 The alterations are primarily internal although the flue to the rear is attached to the detached garage in order to minimise the impact on residents in the accommodation above.
- 2.2 From the information provided on the application form, the proposed hours of opening of the take-away are Monday to Friday Midday – 2pm & 5pm – 10.30pm, Saturday Midday – 10.30pm and no openings on Sundays and Bank Holidays.

3. Relevant policies

- 3.1 AM12 - Parking and Servicing Provision
AM15 - Road Safety and Personal Security

D1 - Design Quality
D4 - Urban Grain
D6 - Townscape and Landscape
D9 - Appearance
D11 - Access for People with Disabilities part
EP1 - Pollution Control
EP5 - Noise Pollution
SH9 - Local Shops and Centre Uses
SH14 - Catering Outlets

4. Publicity and Neighbour Notification

- 4.1 Six letters of objection have been received. The main concerns relate to smells, litter, increase in anti-social behaviour, traffic implications, vermin and the area being well catered for with existing take-away establishments.

5. Internal consultees

- 5.1 Transportation - no objections providing that the hours of opening are restricted to those proposed in the submission as there appears to be sufficient parking provision on the dedicated service road and no other hot food takeaways are currently present in the parade of shops.
- 5.2 Environmental Services - no objections in principle to the proposal subject to a series of conditions imposed with regards to systems for effective control of cooking odours, a scheme for sound insulation and vibration control, adequate storage for refuse and to opening hours being restricted as per the submission. Whilst the design of the installation of the external flue is an unusual set up, suitable measures can be required to reduce disturbance from noise/vibration from the mounting of this flue.

6. External consultees

- 6.1 Police - no objections.

7. Appraisal

- 7.1 The key issues in determining this proposal are:

- Impact on Residential Amenities
- Planning Policy
- Highway Matters

Impact on Residential Amenities

- 7.2 The property is a mid terraced retail unit above which are two floors of residential accommodation. The area immediately surrounding the application site is also predominantly residential in character.
- 7.3 In the letters of complaints received from neighbours, the main reasons for objecting relate to smells, litter, anti-social behaviour, traffic problems, vermin and existing take-away establishments in the area catering for this type of use. In this particular parade of shops, there are no other uses of this type. The majority of the shops appeared to be in use with the exception of the application site and a retail unit at No.56 Moathouse Lane East which were vacant. The proposed hours of opening are Monday to Friday

Midday - 2pm and 5pm - 10.30pm whilst on Saturday from Midday - 10.30pm with no opening on Sundays or Bank Holidays.

- 7.4 This particular property appears to have been vacant since July 2006 from the information on the application forms and no uses of this type exist within this parade. UDP Policy SH14 – Catering Outlets is of particular relevance in this application as it states that *“catering uses provide a useful and necessary service to the community and can add to the vitality of shopping centres. They can however cause considerable pedestrian and vehicle activity and the Council needs to consider the likelihood of noise, fumes and disturbance to nearby residents, particularly at the weekend and late at night.”*
- 7.5 The re-use of this property would add to the vibrancy and vitality of this parade of shops.
- 7.6 The proposed take-away would attract customers arriving by car and the slamming of car doors and the coming and going of people would generate a certain level of noise. The only other shop which would be open after 5pm would be the off-licence/newsagent. It is considered that the levels of noise and disturbance would not be sufficient to justify a reason for refusal in this case with a condition which would be imposed restricting the opening hours to 10.30pm.
- 7.7 Environmental Services have no objections in principle to the proposal subject to a series of conditions imposed with regards to systems for effective control of cooking odours, a scheme for sound insulation and vibration control, adequate storage for refuse and to opening hours being restricted as per the submission.

Planning Policy

- 7.8 The application site is outside a defined centre and is a local shop as per the advice in the Unitary Development Plan where this type of use is considered acceptable. The property is an A1 retail shop last in use in 2006. Other shops in the parade include a hairdressers, tenants and residents association office, newsagents and off-licence, clothes shop, cake shop and a further vacant unit in addition to the application site.
- 7.9 The proposal is in accordance with UDP Policy SH9 as the need cannot be met by a local centre due to the significant distance of the nearest centre; the proposal is commensurate in scale with the local need; the proposal will help to reduce the need to travel especially by car; there is no significant impact upon a defined centre; there is no adverse impact on highway safety and the site is adjacent to an existing clutter or parade of shops.
- 7.10 The criteria of Policy SH14: Catering Outlets has been considered and subject to suitable conditions imposed in particular with regards to protecting residential amenities, the impact on residential amenity can be sufficiently controlled.

Highway Matters

- 7.11 The application site is situated within a parade of local shops and served via an access road situated at the front of the shops. At the time of the planning officer's site visits (on a Friday morning and on a Monday evening), the shops appeared to be in good use and although two cars were parked on the pavement in between Moathouse Lane East and the access road, there were very few cars parked in the access road and people visiting the shops were primarily arriving by foot. It is recognised that visitors to a hot food take-away are more likely to arrive by car, however it is considered that there will be sufficient parking available.
- 7.12 Transportation have no objections subject to the opening times of the proposed hot food take-away restricted as per the submission.

8. Conclusion

- 8.1 The proposal is considered acceptable as no adverse comments from consultee responses have been received and the proposal does not conflict with the Unitary Development Plan policies. Whilst residents have concerns with the change of use to a hot food take-away, suitable conditions can be imposed to reduce the impact on their amenities.
- 8.2 Anti-social behaviour is a concern from nearby residents, however the Police raise no objections and the hours of opening in particular the closing of the premises at 10.30pm would minimise the impact of this.
- 8.3 The position of the external flue at the rear, albeit unusual, is intended to minimise the impact on residents in the accommodation above the shops. Further information is required to ensure that suitable measures are taken to reduce the disturbance from noise/vibration from the mounting of this flue.

9. Recommendation

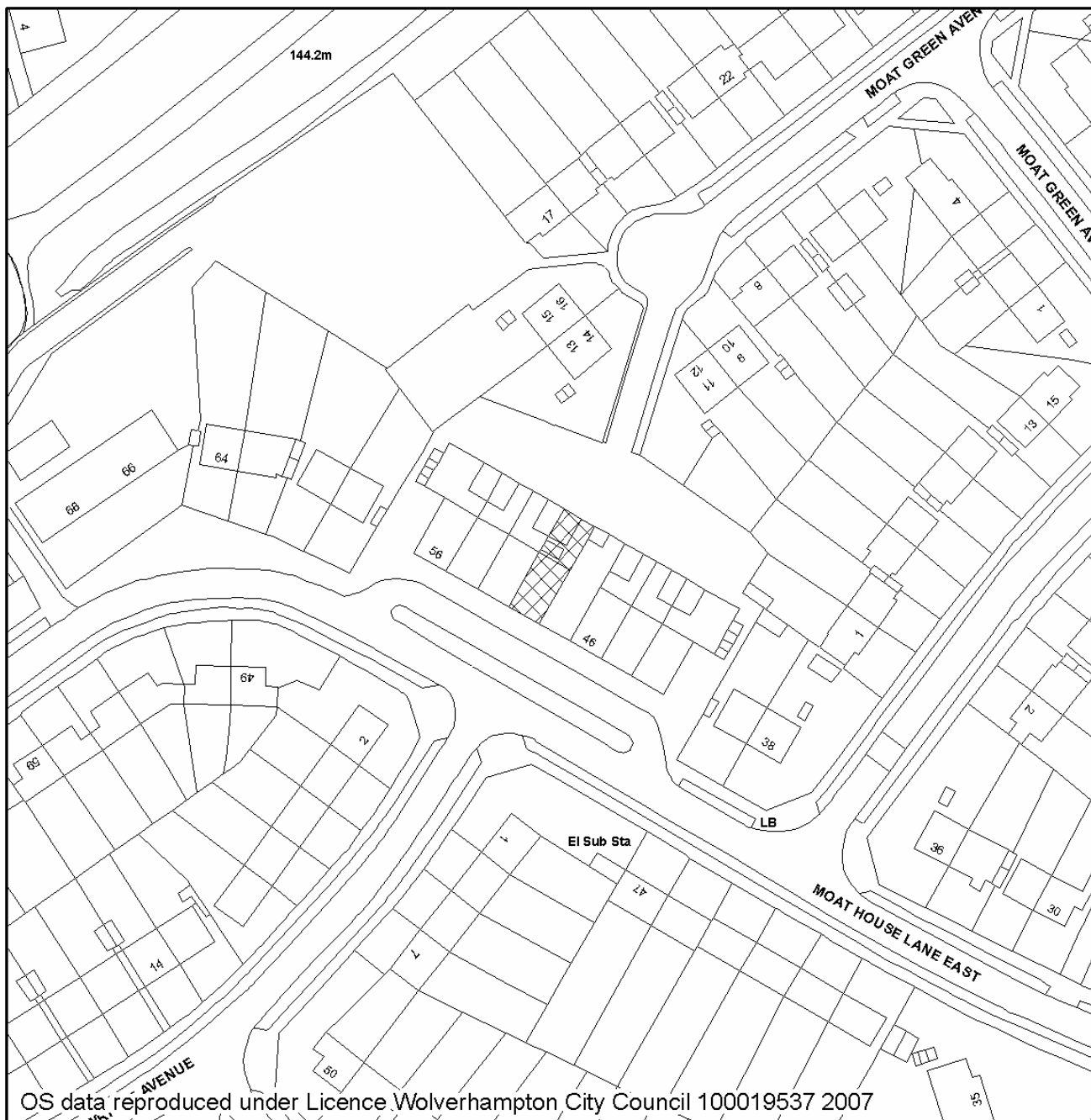
- 9.1 Grant subject to the following conditions:

- An effective system for the control of cooking odours;
- A scheme for the control of noise/vibration;
- Adequate storage provision;
- Hours of opening – Monday to Friday Midday – 2pm & 5pm – 10.30pm, Saturday Midday – 10.30pm and no openings on Sundays and Public Holidays;
- Hours of deliveries;
- Shopfront.

Case Officer : Ragbir Sahota

Telephone No : 555616

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01244/FUL

Location	50 Moathouse Lane East, Wolverhampton, West Midlands, WV11 3DD		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 395146 301156
Plan Printed	20.11.2008	Application Site Area	112m ²

PLANNING COMMITTEE - 02-Dec-08

APP NO: 08/01286/FUL

WARD: Blakenhall

DATE: 08-Oct-08

TARGET DATE: 03-Dec-08

RECEIVED: 08.10.2008

APP TYPE: Full Application

SITE: 454-455 Dudley Road, Wolverhampton, West Midlands, WV2 3AQ

PROPOSAL: Change of use from A1 to A2 [Licensed Bookmakers]

APPLICANT:

Totesport
Westgate House
Chapel Lane
Wigan
Lancashire
WN3 4HS

AGENT:

Mr A Watts
Walker Morris-Planning Unit
Kings Court
12 King Street
Leeds
Yorkshire
LS1 2HL

COMMITTEE REPORT:

1. Site description

- 1.1 The application site is located approximately 1 mile to the south of Wolverhampton City Centre. It includes 2 retail units within a terrace row of 17 shops in the Dudley Road District Centre. The 2 retail units currently operate as 'lifestyle' convenience store.
- 1.2 There is a range of shopping and other services within this shopping frontage and the wider Dudley Road District Centre. The centre provides an important role in meeting a wide range of convenience shopping and other needs to the locality.

2. Application details

- 2.1 The application seeks permission to change the use of the two retail (A1) units to an A2 use (Bookmakers). The external shop front is to be retained.

3. Planning history

- 3.1 08/00748/FUL - Change of use from A1 to A2 [Licensed Bookmakers] Refused - 20.08.2008.

4. Constraints

- 4.1 Authorised Processes
Local Centre 24 - Dudley Road / Blakenhall
New Deals ABCD Area

5. Relevant policies

5.1 National Policies

PPS1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres (Draft PPS6)
PPG13 - Transport

5.2 Unitary Development Plan Policies

SH1 - Centres Strategy
SH2 - Centre Uses
SH3 - Need & the Sequential Test
SH4 - Integration of Development into Centres
SH7 - District Centres
SH9 – Local Shops and Centre Uses outside Defined Centres
SH10 - Protected Frontages
D10 - Community Safety
D11 - Access for People with Disabilities
D13 - Sustainable Development
D14 - The Provision of Public Art
EP1 - Pollution Control
EP3 - Air Pollution
EP4 - Light Pollution
EP5 - Noise Pollution
AM9 - Provision for Pedestrians
AM10 - Provision for Cyclists
AM12 - Parking and Servicing Provision
AM15 Road Safety and Personal Security

6. Publicity / Neighbour notification and representations

6.1 The application was advertised by a press notice, site notice and letters to neighbours. Four letters received supporting the proposals including letters from Councillor Bob Jones and Pat McFadden MP. Comments summarised as follows:

- The owner's wife is unwell and can no longer work within the shop.
- The owner has financial commitments which mean that he has no alternative but to sell the premises.
- The Council have granted a licence for bookmakers at the premises.
- The purpose of planning policy is to increase the diversity of uses & the sustainability of this local shopping area.
- A bookmaker's shop at this point will be a unique attraction as other such operations have ceased or are about to relocate. It will add to both the variety of shops in this area and increase local footfall to add vibrancy to the local retail offering.

7. Internal consultees

7.1 **Transportation Development** - No objections

7.2 **Environmental Services** – No observations

8. External consultees

8.1 None

9. Appraisal

9.1 The main issues for consideration are as follows

- Principle of change of use and impact on the Centre;
- Parking and access

Principle of change of use and impact on the Centre

9.2 Many non-retail uses which provide for visiting members of the public (mostly falling within Classes A2, A3, A4 and A5 along with certain sui generis, social, community and leisure uses) are appropriate in shopping centres and within groups of local shops. Such uses complement shopping and help to provide the visitor with a complete range of shops and services in one location, minimising the need to travel. They can also form an alternative form of commercial investment where the commercial role of the centre is declining. However, an excessive concentration of non-retail uses can threaten the retail role of suburban shopping locations and the service which they provide to local communities. UDP Policy SH10 'Protected Frontages' provides criteria through which a reasonable balance can be maintained.

9.3 Policy SH10 states that within district centres, such as Dudley Road, proposals to use ground floor units for non retail uses will be considered favourably where the overall retail function of the centre/group of shops would not be undermined. Permission will not normally be considered acceptable where non A1 retail uses constitute any of the following:

- i. more than 30% of shop units in the centre concerned;
- ii. more than 30% of frontage length;
- iii. more than three consecutive units

For the purposes of this Policy a frontage is defined as one side of a street or parade which is not separated by a significant gap such as a road junction.

9.4 The 2 subject shop units form a part of 17 units within a shopping frontage between no.440 and 456 Dudley Road. There are currently 6 non A1 shop units in the row which constitutes' 35% of the shop units in the frontage. The proposed change of use of the 2 shop units would result in 47% of the shop units in the shopping frontage being non A1 retail uses.

9.5 However, there are no other bookmakers operating within the defined centre and it is accepted that bookmakers can make a positive contribution to the vitality and viability of centres. The proposed user is Totesport bookmakers who have existing premises which is located at no.36 Lower Villiers Street. That premises is close to, but outside of the defined centre. The relocation of that existing bookmakers shop to premises within the nearby defined centre is supported.

Parking and access

9.6 It is anticipated that there would be less trip generation for the proposed use than the existing convenience store and likely demand for parking can be met by existing supply. For these reasons, the proposals are not considered to be likely to have a detrimental impact on the free flow of traffic or highway and pedestrian safety.

10. Conclusion

- 10.1 There are no other bookmakers operating within the defined centre and it is accepted that bookmakers can make a positive contribution to the vitality and viability of centres. The proposed user is Totesport bookmakers who have existing premises which is located at no.36 Lower Villiers Street. That premises is close to, but outside of the defined centre. The relocation of that existing bookmakers shop to premises within the nearby defined centre is supported.

11. Recommendation

- 11.1 Grant permission subject to conditions relating to the hours of opening and maintaining open shop front display.

Case Officer : Phillip Walker

Telephone No : 555632

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01286/FUL

Location	454-455 Dudley Road, Wolverhampton, West Midlands, WV2 3AQ		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391519 297419
Plan Printed	20.11.2008	Application Site Area	115m ²