

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel

PLANNING COMMITTEE

Date: **3rd March 2009**

Originating Service Group(s)

REGENERATION AND ENVIRONMENT

Contact Officer(s)

Stephen Alexander (Head of Development Control)

Telephone Number(s)

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Title/Subject Matter

PLANNING APPLICATIONS

Recommendation

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

PLANNING COMMITTEE (3rd March 2009)

<u>REFERENCE</u>	<u>SITE ADDRESS</u>	<u>WARD</u>	<u>PAGE NO</u>
08/01454/FUL	Shoulder Of Mutton Public House Wood Road Wolverhampton West Midlands WV6 8NF	Tettenhall Wightwick	Page 5
Application Type	Smallscale Major Dwelling		
09/00019/FUL	Eagle Court Eagle Street Bradmore Wolverhampton West Midlands WV3 7DW	Graiseley	Page 13
Application Type	Minor Dwellings		
08/01497/FUL	Westwood Hotel 259-261& 263 Tettenhall Road Wolverhampton West Midlands WV6 0DE	Park	Page 20
Application Type	Smallscale Major All Other Development		
08/01441/OUT	Land Opposite 3 Rookery Street Wolverhampton West Midlands	Wednesfield South	Page 28
Application Type	Smallscale Major Dwelling		

08/01434/OUT	Polypipe Factory Chestom Road Wolverhampton West Midlands WV14 0RD	Ettingshall	Page 37
Application Type	Smallscale Major Dwelling		
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08/01515/DWF	Land Bounded By Bankfield Road Dudley Street Black Country Route Wolverhampton West Midlands	Bilston East	Page 44
Application Type	Smallscale Major All Other Development		
<hr/>			
08/00424/REM	Bankfield Works Greenway Road Bilston Wolverhampton West Midlands WV14 0TJ	Bilston East	Page 52
Application Type	Largescale Major Dwellings		
<hr/>			
08/01382/FUL	Former Metal Castings Ltd And Land At The Rear Of Units 1 12 Hollies Industrial Estate Graiseley Hill Wolverhampton West Midlands	Blakenhall	Page 67
Application Type	Largescale Major All other developments		
<hr/>			
08/01323/FUL	1D Clark Road Wolverhampton West Midlands WV3 9NW	Park	Page 83
Application Type	Minor Retail		
<hr/>			

09/00021/DWF & 09/00022/LBC	Town Hall And Magistrates Court North Street Wolverhampton West Midlands WV1 1RE	St Peter's	Page 89
Application Type	Minor All Other Development & Listed Building Consent (alter-extend)		
<hr/>			
08/01503/FUL	5 Showell Circus Wolverhampton West Midlands WV10 9BA	Bushbury South And Low Hill	Page 93
Application Type	Change of use		
<hr/>			
08/01537/FUL	2 Perton Grove Wolverhampton West Midlands WV6 8DH	Tettenhall Wightwick	Page 97
Application Type	Householder		
<hr/>			
08/01240/RP	73 Tettenhall Road Wolverhampton West Midlands WV3 9NE	Park	Page 102
Application Type	Householder		
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09/00047/LBC	11-15 Lichfield Street Town Centre Wolverhampton West Midlands WV1 1EA	St Peter's	Page 106
Application Type	Listed Building Consent (alter-extend)		
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PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01454/FUL

WARD: Tettenhall Wightwick

DATE: 04-Dec-08

TARGET DATE: 05-Mar-09

RECEIVED: 25.11.2008

APP TYPE: Full Application

SITE: Shoulder Of Mutton Public House, Wood Road, Wolverhampton, West Midlands

PROPOSAL: Demolition of pub and erection of 11No. dwellings, new access and associated works.

APPLICANT:
Mrs Rachel Newnes
Marstons PLC
C/O Agent

AGENT:
Mr Andrew Tildesley
WYG Planning & Design
Aqua House
20 Lionel Street
Birmingham
B3 1AQ

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is a large plot of land, approximately 0.45 ha. The site is currently occupied by the Shoulder of Mutton public house, its ancillary car park and a wooded area with TPO'd trees in the extreme north off the site. Vehicular access is from Wood Road, adjacent on the west side of the public house, which fronts onto that road.
- 1.2 The southern half of the application site is located within Tettenhall Wood Conservation Area.
- 1.3 The site has been identified as having reasonable levels of accessibility to local public transport services according to the criteria set out in Wolverhampton's Unitary Development Plan. The site is in close proximity to the Tettenhall Wood Local Centre.
- 1.4 On either side of the application site, fronting Wood Road, are 19th Century houses and cottages which make an important contribution to the character of the conservation area:
 - A row of properties Nos. 60- 54 Wood Road to the northeast (19th Century cottages).
 - Properties Nos. 70-82 Wood Road to the southwest. (19th Century houses).
- 1.5 To the north, the application site backs onto the residential cul-de-sac Tanfield Close. To the northeast, houses in Woodland Avenue back onto the site.
- 1.6 The application site is bounded by a close boarded fence with a height of approximately 1.6m on the northern and western site boundaries, with a 2m high hedge on the eastern boundary.

- 1.7 The application site has approximately five ‘Tettenhall Dick’ pear trees located at the rear of the public house. This particular variety of pear tree is only found in this part of the country.
- 1.8 The general character of the area is mainly low density residential with most of the properties characterised by large sized gardens.

2. Application Details

- 2.1 The application follows the refusal of applications for the residential redevelopment of the site in 2007 and 2008.
- 2.2 The applicant proposes the demolition of the existing public house and its replacement with a total of 11 houses: 5 detached, 4 link-detached and 2 semi-detached houses, with a density of 25 dwellings per hectare.
- 2.3 The proposed layout has the form of a central cul-de-sac, with houses on both sides and at the end.
- 2.4 The schedule of accommodation below illustrates the different house types in relation to private amenity space and the number of bedrooms.

SCHEDULE OF ACCOMODATION			
Plot Numbers	House Types	No. Bedrooms	Private Amenity Space (s.q.m.)
1	Detached	5	217
2	Detached	4	185
3	Detached	4	208
4	Detached	4	149
5	Detached	4	171
6	Semi-detached	4	169
7	Semi-detached	4	175
8	Semi-detached	3	216
9	Semi-detached	4	90
10	Semi-detached	4	90
11	Semi-detached	3	205

- 2.5 The row of four houses at the end of the cul-de-sac (plots 8-11) would occupy most of the width of the site, near the northern end. The proposed buildings would be two storeys in height with gabled roofs. The front elevation of these properties would face down the new access road back towards the site entrance, and onto the north elevations of the buildings at Plots 7 & 3.
- 2.6 In addition to plots 8-11 having a private amenity space to the rear (north), these houses would also have access to the wooded area where the protected trees are located at present (approximately 355sqm), which would serve as private, communal amenity space.
- 2.7 Plots 6 to 7, on the east side of the access road, are a pair of houses linked by a pair of garages.

- 2.8 The detached houses (plots 1 to 5) would all have single in-curtilage garages and a short private driveway. The houses on plots 1 and 4 are shown located on either side of the entrance to the site. The house on plot 1 (west side) would have its main elevation and front door facing onto the new road, while that on plot 4 (east side) would have its front door onto the Wood Road.
- 2.9 The design of the houses is contemporary in character, though the design has attempted to capture architectural features which are representative of the surrounding area and help define its character.
- 2.10 The submitted details of materials to be used on the buildings are as follows: brick work facing, slate roof tiles, timber windows, black UPVC rainwater goods, timber painted doors, colour renders, zinc cladding and reconstituted stone.

3. Planning History

- 3.1 08/00458/CON - Demolition of existing public house to enable redevelopment of site for residential purposes. Refused 28 May 08.
- 3.2 08/00457/FUL - Demolition of pub and erection of 11 dwellings. Refused 28 May 08.
- 3.3 07/01404/CAC - Demolition of existing public house to enable redevelopment of site for residential purposes. Refused 26 Nov 07.
- 3.4 07/01403/FUL – Demolition of Public House and erection of 8 houses and 12 flats. Refused 6 Dec 07.

4. Constraints

- 4.1 Tettenhall Wood Conservation Area
Tree Preservation Order

5. Relevant Policies

- 5.1 National Guidance
 PPS1 Delivering Sustainable Development
 PPS3 Housing
 PPG13 Transport
 PPG15 Planning and the historic environment
- 5.2 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
 C3 Community Meeting Places

- H1 Housing
- H6 Design of Housing Development
- H8 Open Space, Sport and Rec. Req. new Dev.
- HE1 Preservation of Local Character and Dist
- HE3 Preservation and Enhance. of Con. Areas
- HE4 Proposals Affecting a Conservation Area
- HE5 Control of Development in a Con. Area
- HE7 Underused Buildings Structures in CA
- HE8 Encouragement of Appropriate ReDev in CA
- AM1 Access, Mobility and New Development
- AM12 Parking and Servicing Provision
- AM14 Minimising the Effect of Traffic on Com.
- AM15 Road Safety and Personal Security
- R7 Open Space Requirements for New Develop.

- 5.3 Supplementary Planning Guidance
 SPG3 Residential Development
 Tettenhall Wood Conservation Area Appraisal

6. **Publicity**

- 6.1 One hundred and twenty-six letters of objection have been received, including objections from the Head teacher of Christ Church Infant School and Rob Marris MP. They are primarily concerned with the loss of the public house and the impact that the loss of pub car park (which is used by the general public and not just pub customers) would have on highway safety.

7. **Internal Consultees**

- 7.1 **Conservation** - Subject to appropriate materials and detailing, the scheme should positively enhance the character and appearance of the Conservation Area.
- 7.2 Tettenhall Wood Conservation Area Appraisal identifies the area of land as being "poor quality open space" (ref: Townscape Appraisal Map p.17). The text refers to the area as "significant but bland". It does not have any significant townscape value, in that, for example, it does not frame an important view or provide a setting for a prominent building. The promotion of improvements to the appearance of the areas of "poor quality open space" in the conservation area is one of the management proposals referred to in the document.
- 7.3 Typical details of joinery, eaves details, railings rainwater goods etc. and sample of materials should be submitted for consideration in order that the quality of the scheme can be properly assessed.
- 7.4 The proposed roof covering specification is of concern. The site is partly within the Tettenhall Wood Conservation Area and the use of artificial 'traditional' materials should be avoided. If a traditional roof covering is proposed, appropriate materials must be specified in order to ensure a high quality scheme. I would suggest the use of natural slate and not 'composite slate tiles'.
- 7.5 **Transportation Development** – The latest plans show that the driveways are 3m x 5.5m and garage dimensions of 2.8 x 5.5m are to be provided, which would be acceptable. However, should permission be granted then a condition should be imposed to remove permitted development rights to convert the garages to ensure that the car park provision is not reduced to unacceptable levels. In addition, the applicants

have demonstrated that a refuse lorry can enter and exit the cul-de-sac in forward gear.

- 7.6 The Council's adoption guidelines require developments of more than four dwellings to be offered for adoption. However, the proposed road would not be of an adoptable standard and so would need to remain private. If permission is to be granted a S106 is required to secure management and maintenance of the road.
- 7.7 The entrance should be a footway crossing rather than the proposed "bell-mouth" as currently shown.
- 7.8 Plans received from the applicants demonstrate that a visibility splay of only 2.4m by 33m is achievable. A minimum visibility splay of 2.4m x 40m would normally be sought on a 30mph road in accordance with Manual for Streets. A visibility splay of 33m in distance would normally only be acceptable on a road of speeds less than 25mph. It is not considered that the applicants have properly justified the acceptability of the lower visibility splay standard nor have they tried to achieve an improved standard by relocating the access point for example. This therefore remains a serious concern with the proposed development.
- 7.9 **Trees** – There are no other trees on this site that are of sufficient value to deserve protecting by T.P.O. Request that trees be planted adjacent to the footway on Wood Road.
- 7.10 **Access Team** - Detailed Building Control comments.

8. **External consultees**

- 8.1 **Severn Trent Water** - No objection to the proposed development providing that drainage details, including a hydrological and hydrogeological assessment, are submitted to and approved by the local planning authority. They also state that a public sewer crosses the site and that this may need to be diverted.
- 8.2 **Police** - The police are seeking a contribution of £195.68 per household equating to a total sum of £2,152.47 in order to order to help meet the draw on existing police resources which they consider will arise from this development.
- 8.3 **CAMRA** - Although they accept that the building has little architectural merit, they consider that there is a need for this facility in the local community.

9. **Appraisal**

- 9.1 The following main issues are considered in determining this application:

- The loss of the public house
- Principle of development
- Layout & siting
- Design, scale and appearance
- Loss of pub car park
- Car parking and access
- Section 106 requirements

The loss of the public house

- 9.2 The proposed application results in the loss of a public house that is currently used as a community meeting place, as defined under UDP Policy C3. This loss was determined to be acceptable in previous applications (07/01403/FUL &

08/00457/FUL). Evidence provided with those applications illustrated that there is another public house and a community centre within walking distance (400m) that would, in part, be able to cater for the loss of the public house.

Principle of development

- 9.3 The area is mainly residential and, with policy C3 satisfied, the site is suitable for residential development. UDP policy H9 states that residential development should have a density of 30-50 dwellings per ha. The density for the submitted scheme is 25 dph. However, due to the character of the area and the morphology of the site it is considered that this is an appropriate density of development.

Layout and Siting

- 9.4 Although the 'highway' covers a relatively large proportion of the overall site area, the 'place' function of the street, outweighs the movement function. This 'place' function comes largely from creating a strong relationship between the street and the buildings and spaces that frame it.
- 9.5 In order to create this relationship it has been necessary to create strong, active, frontages either side of the street. Due to the relatively narrow nature of the site, this has meant that the proposed plots and houses are wide and shallow, rather than narrow and deep which is the more usual typology.
- 9.6 It is considered that this is an imaginative design response to the constraints of the site and would create houses and gardens which are no less comfortable, or functional, than may otherwise be the case. It is also considered that the proposal provides adequate separation between proposed and existing properties and raises no issues with regard to overlooking or overbearing impact.
- 9.7 The buildings would satisfactorily define the street and create a comfortable sense of enclosure within it. The houses on plots 9 and 10 would provide a 'terminating view' along the access road.

Design, scale & appearance

- 9.8 The submitted Design and Access Statement states that the design and appearance of the proposed development takes its inspiration from the Wood Road streetscape and adjacent 19th Century terrace houses and cottages. However, although the proposed houses are 'inspired by' they do not seek to 'replicate' or 'copy'.
- 9.9 Tettenhall Wood illustrates that different architectural styles can evolve compatibly and still retain their own aesthetic character. In addition, it is desirable to have representative buildings of all periods – including our own. Therefore, the contemporary approach to the architecture of the houses is supported in principle.
- 9.10 However, in order to be successful, it is important that significant attention is paid to the detailed design of the scheme. New buildings will be expected to compete with predecessors on equal terms and be judged accordingly. The neighbouring properties demonstrate a high standard of design. In addition, Policy D6 emphasises that proposals should preserve or enhance qualities of townscape and landscape character that are of value. Furthermore, policies D1 and D9 highlight the importance of demonstrating a high standard of design and contribute towards the creation of a strong sense of place through the use of appropriate form and good quality detailing and materials.
- 9.11 Subject to appropriate high quality detailing and materials, it is considered that the proposed development would represent a high standard of design and would contribute towards the creation of a strong sense of place. Such an approach would enhance the character and appearance of the Tettenhall Wood Conservation Area.

Loss of Pub Car Park

- 9.12 A significant number of local residents have stated that the existing car park is regularly used by residents and visitors and that there are concerns that the loss of so many spaces would cause significant highway safety problems. However, the car park is in private ownership and its use by the public is permissive and not of right. Therefore, although the loss of the car park is a concern to local residents, it is not appropriate to attach significant weight to its loss and is not considered to represent a reason for refusal.

Car Parking and Access

- 9.13 Parking and turning are acceptable.
- 9.14 While the proposed road would not meet adoption standards, in planning terms there would be no objection to the road being privately maintained. Therefore, if permission were to be granted it would need to be subject to an appropriate management maintenance arrangement, secured through a S106 agreement.
- 9.15 Visibility at the access is below the required minimum standard of 40m x distance on a 30mph road and detrimental to highway safety.

Section 106 Requirements

- 9.16 If permission were to be granted it would need to be subject to a S106 to secure affordable housing, public art and open space/play contribution (BCIS indexed), targeted recruitment and training and maintenance of the road (if not adopted).
- 9.17 Regarding the Police's request for funding, a S106 obligations should be directly proportionate and reasonably related to the impacts of the proposed scheme. However, it is considered unlikely that the replacement of a public house with eleven family houses would result in an increase in crime. It is not considered appropriate to require such a contribution.

10. Conclusion

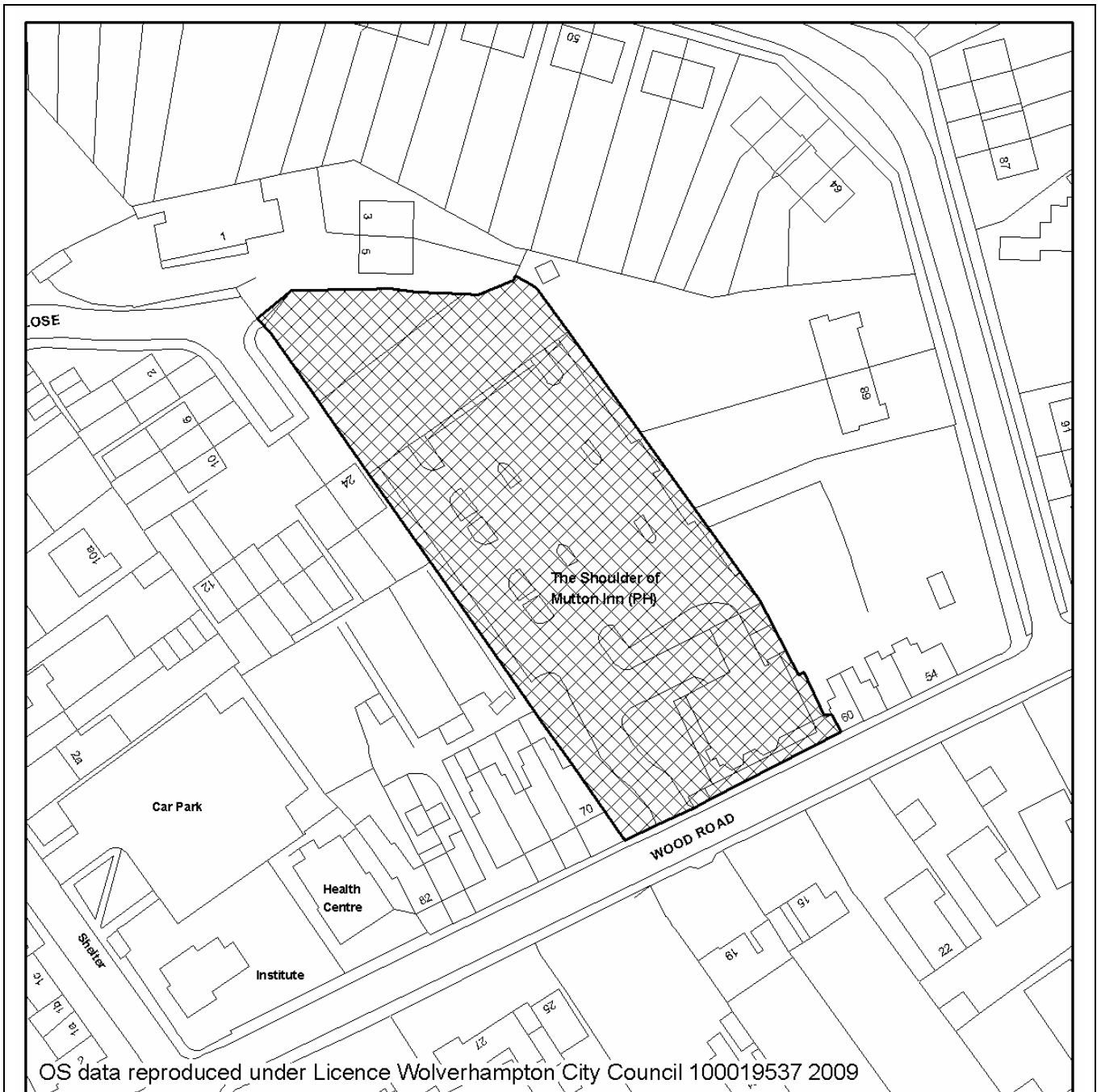
- 10.1 The residential development of the site is acceptable in principle.
- 10.2 The proposed development demonstrates a high standard of design which, subject to appropriate high quality details and materials, would enhance the character and appearance of the Tettenhall Wood Conservation Area.
- 10.3 However, visibility at the access is below the required minimum standard of 40m x distance on a 30mph road and detrimental to highway safety.

11. Recommendation

- 11.1 Refuse permission for the following reason:

Visibility at the site entrance is below the required minimum standard. A relaxation of normal visibility requirements has not been justified and it is considered that the deficiency in visibility would be detrimental to highway safety. The proposal is therefore contrary to Wolverhampton's Unitary Development Plan policies H6 "Design of Housing Development" and AM15 "Road Safety and Personal Security".

Case Officer : Richard Pitt
Telephone No : 01902 551674
Head of Development Control – Stephen Alexander



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Planning Application No: 08/01454/FUL

Location	Shoulder Of Mutton Public House, Wood Road,Wolverhampton,West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 387909 299206
Plan Printed	18.02.2009	Application Site Area	4537m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 09/00019/FUL

WARD: Graiseley

DATE: 12-Jan-09

TARGET DATE: 09-Mar-09

RECEIVED: 12.01.2009

APP TYPE: Full Application

SITE: Eagle Court, Eagle Street, Bradmore, Wolverhampton

PROPOSAL: Extension to existing apartment block to create 4 No additional apartments.

APPLICANT:

Mr D Walker
41 Prestwood Avenue
Wednesfield
Wolverhampton
West Midlands

AGENT:

Mr Michael Harris
I D Architects (Midlands) Ltd
Lychgate House
High Street
Pattingham
South Staffordshire
WV6 7BQ

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is approximately 0.12Ha, located facing the junction of Duke Street and Eagle Street. The site has a rectangular shape bounded by terraced housing to the north and south.
- 1.2 The application site is located within the Penn Fields Conservation Area and is approximately 150m walking distance to Penn Fields local centre. The site was previously occupied by a late 19th Century building called 'The Eagle Court'.
- 1.3 The current building is a two storey 1970's 'rational' style apartment block and accommodates eight apartments. The building has two main entrances at front and one central entrance at the rear. The front entrances give access to flats Nos. 1, 2, 3 and 4. The rear entrance gives access to flats Nos. 5, 6, 7 and 8.
- 1.4 The application site has parking at the rear of the site, an amenity space of approximately 230sqm and a very large front garden of approximately 187sqm.
- 1.5 The immediate adjacent properties are mainly Victorian and Georgian style houses. The application site abuts No. 21 Eagle Street to the northwest and No. 15 Eagle Street to the southwest.

2. Relevant Planning History

- 2.1 This application follows application ref. No. 08/01044/FUL which incorporates the same number of units as the current application but with a different design approach. The application was withdrawn by the applicant in September 2008.

3. Application details

- 3.1 The proposed development consists of the introduction of an additional storey and pitched roof to incorporate four new apartment units.
- 3.2 The new building would be transformed into a more traditional style.
- 3.3 The proposed site layout would be essentially left as existing but with the provision of a bin store, cycle store and four additional parking spaces all within a landscaped setting.
- 3.4 The proposed amenity space is approximately 233sqm.
- 3.5 The bin store would be located immediately adjacent to the building rear entrance.
- 3.6 The cycle store would be located immediately adjacent to No. 21 Eagle Court.
- 3.7 A 600mm high brick wall with 600mm high railings at the front of the building facing onto Eagle Street is also proposed.
- 3.8 The existing vehicular access would be increased in width to 4.1m to enable two vehicles to pass. Ten car parking bays are proposed including two that are suitable for the disabled. An additional parking space is also demarcated for the adjoining property (No. 15 Eagle Street).
- 3.9 The existing apartments units have a dual aspect orientation. The proposed ones would be single aspect with two of the proposed apartment units, facing northeast.
- 3.10 Amended plans have been received in response to issues raised relating to design, parking and access.

4. Constraints

- 4.1 Mining Area
- 4.2 Conservation Area

5. Relevant policies

5.1 National Policies

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG15- Planning and the historic environment

5.2 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
H1 - Housing
H6 - Design of Housing Development
HE1 - Preservation of Local Character and Dist
HE3 - Preservation and Enhance. of Con. Areas
HE5 - Control of Development in a Con. Area
AM1 - Access, Motability and New Development
AM12 - Parking and Servicing Provision
AM14 - Minimising the Effect of Traffic on Com.
AM15 - Road Safety and Personal Security

5.3 Supplementary Planning Documents

SPG3 – Residential Development

6. Publicity and Neighbour notification

6.1 Ten objection letters and a petition letter were received raising the following issues:

- Loss of natural light
- Loss of privacy
- On street parking
- Existing mains and sewage system has limited capacity
- Unsympathetic development within the conservation area
- Massing
- Overbearing impact on streetscene
- Poor quality
- Georgian pastiche
- Increase in noise

7. Consultees

7.1 **Environmental Services** – no objections.

7.2 **Conservation & Urban Design** – not convinced that the proposed additional accommodation can be provided without adversely impacting on the character and appearance of the conservation area and the amenity of neighbouring properties. The fundamental issue is the significant increase in scale (massing) which would result from the introduction of an additional storey and pitched roof.

7.3 **Transportation** – recommend:

- Details of cycle parking
- To prevent on street parking, pedestrian access to the rear should be provided for all flats.

7.4 **Access Team** – door controls to be at a suitable height (750 and 1000mm) and the entrance to be level or ramped.

7.5 **Planning Policy** – no objections.

7.6 **Fire Service** – no direct entrance from the front of the building to flats 9, 10, 11 and 12.

8. Appraisal

8.1 The key issues are:

- The principle of the development
- Design & Layout
- Impact on residential amenities/Orientation
- Access and Parking

The principle of the development

8.2 The proposed development has a density of 96 dwellings per hectare which is considered a very high density for this particular location. The extension of the proposed building by an extra storey would have an overbearing effect on the character and appearance of the current street scene due to its massing and would significantly increase the overshadowing effect on immediate residential amenities in particular, No. 21 Eagle Street. The above issues are contrary to Wolverhampton's UDP policies and therefore, the proposed development is not acceptable in principle.

Design & Layout

8.3 The siting of the proposed development is generally acceptable as it would improve the existing layout, additional parking is also incorporated and all within a landscaped setting.

8.4 The private shared amenity space is only 233sqm which is below the Council's current standards. However, in view of the extent and depth of the front garden this could be considered acceptable.

8.5 The car parking provision would be located in a secured rear court yard and so it would be overlooked and would not detract from the built up frontage.

8.6 The internal layout of the proposed building has no direct access from the rear to the front. This would result in future occupiers parking their cars and having to walk around the development to gain access, leading to parking on the street frontage for easy access, creating traffic problems on the access road, Eagle Street and Duke Street.

8.7 The internal layout of the proposed accommodation would be unsatisfactory as flats Nos. 9 and 10 would have bedrooms located directly above living rooms, failing to take the opportunities available to improve the quality of the development.

8.8 The appearance, massing and scale of the proposed building would be significantly transformed into a larger three storey apartment block with a pitched roof and a blank elevation that incorporates traditional proportions but lacking in detail and high quality materials.

8.9 The character and appearance of the proposed building would be significantly different in terms of quality and detail than any of the adjacent residential properties on the street scene.

8.10 The proposed building would occupy a significant proportion of land at Eagle Street and a focal point at Duke Street. It is important that in this particular prominent location within a conservation area, the building is positioned to create an appropriate streetscape.

- 8.11 The existing building does not follow the existing building line at Eagle Street and neither would improve the character of the street. Detailed design of good urban space means attending to the building line in addition to the three-dimensional mass that helps to create the character of street.
- 8.12 The scale, massing and appearance of Eagle Street and Duke Street properties are significantly different to that which is proposed to such an extent that the proposed building would appear as an alien intrusion in the street scene. The bulk, design and height of the proposed development are not compatible with the general character of the area.
- 8.13 The proposed design is one that has been conceived from a need to respect neighbouring buildings, unfortunately this has resulted in a poorly designed pastiche. The applicant has been requested to address this however, the amended elevations still considered to be poor / mediocre design.
- 8.14 New developments that aim to adopt a traditional style, such as the proposed one, should demonstrate a high level of detail to ensure that the development would not have a rudimentary nature. New buildings will be expected to compete with predecessors on equal terms and be judged accordingly.
- 8.15 Policy D6 emphasises that proposals should preserve or enhance qualities of townscape and landscape character that are of value. In addition policies D1 and D9 highlight the importance to demonstrate a high standard of design and contribute towards the creation of a strong sense of place through the use of appropriate form and good quality detailing and materials.
- 8.16 It is clear from the submitted detailing, height, massing and materials that the proposed scheme would not be convincing.

Impact on residential amenities

- 8.17 Currently, the positioning of the building partially overshadow property No. 21 Eagle Street. The addition of an extra storey on top of the existing building, would significantly increase this overshadowing effect covering almost half of the rear private amenity space of this property. This is unacceptable.
- 8.18 The orientation for the proposed flats is also inadequate. They have a single aspect orientation and two of them (flats Nos. 11 and 12) would have northeast facing orientation which is inadequate.

Access and Parking

- 8.19 The proposed development includes one parking space per unit including two spaces for people with disabilities. There is no visitors' parking proposed.
- 8.20 The applicant has provided pedestrian paths on the western side of the building however, this path would be quite narrow (only 1m in width), overshadowed, not directly visible from flats, immediate adjacent to the cycle store and therefore, inadequate.

9. Conclusion

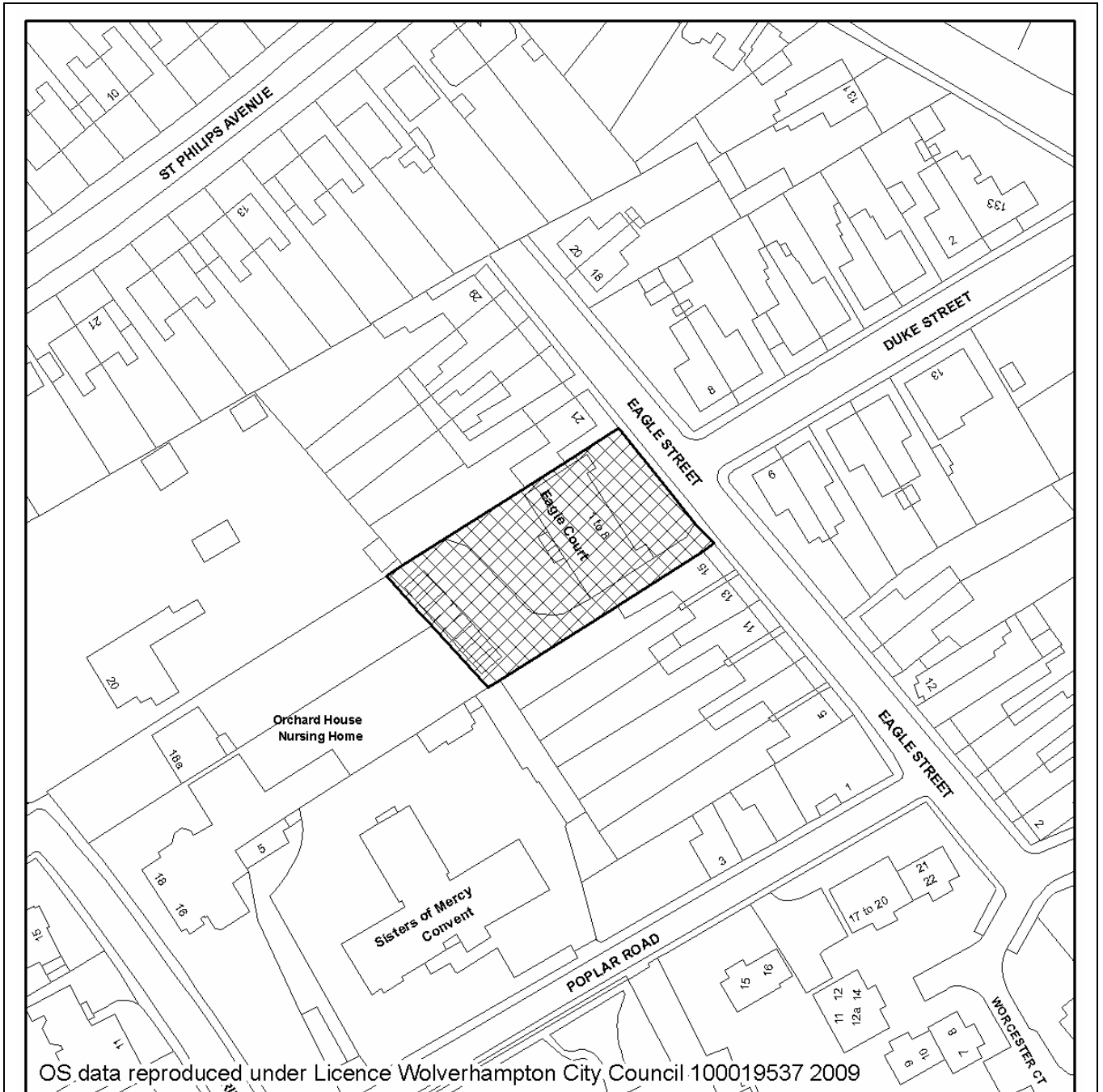
- 9.1 It is considered that the proposed development does not demonstrate a high standard of design and would be detrimental to the character and appearance of the Conservation Area, street scene and neighbouring amenities.

10. Recommendation

10.1 Refuse, for the following reasons:

- (i) The appearance of the proposed development would not demonstrate a high standard of design and fails to take the opportunities available for improving the character, quality and appearance of the Conservation Area, contrary to Wolverhampton's Unitary Development Plan policies D1, D6, D7, D8, D9, H6, HE1, HE4 and HE5.
- (ii) The proposed apartment units Nos. 11 and 12 by reason of its siting, orientation and internal design are contrary to the principles of sustainable design and as a result the proposed development does not maximise the dwelling's potential for solar gain, contrary to Wolverhampton's Unitary Development Plan policies D1, D13 and H6.
- (iii) There is no direct access from the rear to the front of the building potentially leading to parking on the street frontage to the detriment of the free flow of traffic and highway safety, contrary to Wolverhampton's Unitary Development Plan policies D1, AM1, AM14, AM15 and H6.
- (iv) The internal layout of the proposed accommodation would be unsatisfactory in respect of bedrooms located directly above living rooms failing to take the opportunities available to improve the quality of development around the area, contrary to Wolverhampton's Unitary Development Plan policies D1, H6 and EP5.
- (v) The proposed extension would, by reason of its height, bulk and position close to the rear garden of the adjoining property at No. 21 Eagle Street, have an unacceptable overbearing impact reducing the amount of sunlight to that property and adversely affecting the outlook from that garden, contrary to Wolverhampton's Unitary Development Plan policies D1 and D8.

Case Officer : Marcella Quinones
Telephone No : 01902 555607
Head of Development Control – Stephen Alexander



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Planning Application No: 09/00019/FUL

Location	Eagle Court, Eagle Street, Bradmore, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390132 297025
Plan Printed	18.02.2009	Application Site Area	1236m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01497/FUL

WARD: Park

DATE: 16-Dec-08

TARGET DATE: 17-Mar-09

RECEIVED: 05.12.2008

APP TYPE: Full Application

SITE: Westwood Hotel, 259-261& 263 Tettenhall Road, Wolverhampton, West Midlands

PROPOSAL: Change of use to and formation of a residential/nursing care home, single and two storey rear extensions.

APPLICANT:

Mr P Westwood
Birkdale Homes UK Ltd
Home Farm
Spring Hill
Lower Penn
Wolverhampton
WV4 4UF

AGENT:

Mr Paul Burton
A P Architecture Ltd
E-Innovation Centre Suite SE 219
University Of Wolverhampton
Telford Campus
Telford
TF2 9FT

COMMITTEE REPORT:

1. Introduction

- 1.1 This application was reported to Planning Committee on 3 February 2009. Committee decided to defer the application for a site visit.

2. Site Description

- 2.1 The site is situated 2 miles to the north-west of Wolverhampton City Centre, on the southern side of the A41 Tettenhall Road and within the western part of the Tettenhall Road Conservation Area.
- 2.2 The Westwood Hotel is currently empty and is partly fire damaged. It is a late 19th century building, originally constructed as a pair of semi-detached, two storey houses. The rear garden is landscaped but the frontage area has been hard surfaced to provide car parking. A modern two storey detached dwelling is within the rear grounds of the premises. That dwelling is of no architectural merit and would have to be demolished to make way for the proposed development.
- 2.3 Number 263 is one part of a pair of late 19th century, three storey, semi-detached houses, now in office use. The frontage area has been hard surfaced to provide car parking. The adjoining part of the semi-detached pair (Number 265) has been converted from residential use and is now occupied by Beacon Radio Limited. It includes a large two storey rear extension and the rear garden has been hard surfaced to provide car parking.
- 2.4 Along the southern boundary of the site, Number 255 has been converted to a Dental Practice. It includes extensions to the rear. The majority of the rear garden has been hard surfaced to provide parking.

2.5 The flats to the rear of the site, along the south-western boundary, known as 'The Courtlands' have no windows in the north-east elevation and are 35 metres from the proposed extensions. The nearest house in Malborough Gardens is approximately 30 metres away.

2.6 There are a number of trees at the rear of the site that are of amenity value, some of which are protected by TPO.

3. Application Details

3.1 The application seeks permission to extend and change the use of the premises to a residential nursing care home (Use Class C2), including single and two storey rear extensions, car parking and landscaping.

3.2 The nursing home would accommodate people aged 55 years and over, in need of care.

3.3 The proposals would provide accommodation for thirty residents in single bedrooms. All bedrooms would be equipped with en-suite bathrooms.

3.4 The part two storey and part single storey rear extensions would result in a development which is roughly horse shoe shaped, the open end facing Tettenhall Road and a semi-private courtyard at its centre. A first floor glazed link would provide a connection between Westwood Hotel and 263 Tettenhall Road.

3.5 There would not be any significant proposals for external changes to the front elevations of the principle buildings other than the first floor glazed link.

3.6 The proposed extensions would be of a contemporary design and would predominately be constructed from brick, stone cills and headers, render and glazing. Roofs are proposed to be covered with a plastic membrane which is intended to give an appearance similar to lead.

3.7 The layout includes a large area of private amenity space to the rear and the existing vehicular access and car park would be retained to the front. The proposals include for new planting beds to the street frontage.

3.8 There would be 24 part-time and full-time jobs created. The development cost is likely to be approximately £2.5 million.

4. Planning History

4.1 08/00749/FUL - Proposed change of use and formation of a residential / nursing care home, including single storey and two storey rear extensions. Withdrawn 29.07.2008.

4.2 08/00751/CON – Demolition of building to rear. Granted 03.10.2008.

5. Constraints

5.1 Conservation Area
Tree Preservation Order

6. Relevant Policies

6.1 National Policies

PPS1 Delivering Sustainable Development
PG3 Housing
PPG13 Transport
PPG15 Planning and the Historic Environment
PPG24 Planning and noise

6.2 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
HE1 Preservation of Local Character and Distinctiveness
HE2 Historic Resources and Enabling Development
HE3 Preservation and Enhancement of Conservation Areas
HE4 Proposals Affecting a Conservation Area
HE5 Control of Development in a Conservation Area
HE6 Demolition of Buildings or Structures in a Conservation Area
HE7 Underused Buildings and Structures in a Conservation Area
N7 The Urban Forest
B1 Economic Prosperity
R4 Development Adjacent to Open Space
H1 Housing
H6 Design of Housing Development
H12 Residential Care Homes
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

6.3 Supplementary Planning Guidance

SPG16 Provision of Public Art

7. Publicity

7.1 The application was advertised by press notice, site notice and neighbour letters. Five letters of objection were received and the comments are summarised as follows:

- The removal of established trees close to The Courtlands would result in a loss of amenity and privacy to residents
- Trees and bushes should be retained to enhance the future living quality of future residents
- Detriment to the general wildlife and the ambience of the whole area
- No access for maintenance work from front of the site to the rear garden
- The proposals would constitute high density development which would not be in keeping with the surrounding area
- A brownfield site would be preferable for the proposed development
- The premises could be converted to a hostel or short term residential use
- Extensive redevelopment is taking place on the corner of Balfour Road and Tettenhall Road. A further development at Westwood Hotel would have an adverse impact on the whole area.
- The statement in the application that the appearance of the proposed development will not change the external style and character of the existing building is misleading.
- There is the likelihood that the proposals would result in noise disturbance to adjacent residents.
- The proposed roof materials are not suited to premises in a conservation area
- Loss of neighbour amenity, particularly views and privacy
- Excessive extension
- Increase traffic congestion
- The extensions to the application buildings will put further burden on the already inadequate water supply to premises along Tettenhall Road.
- Information relating to trees is incorrect and not all of the trees within the site are shown on plans
- The extension of the existing buildings would be likely to place further burden on the inadequate water supply to premises along Tettenhall Road and surrounding locality.

8. Internal consultees

8.1 **Conservation and Urban Design –**

The Committee report (2004) for the designation of the Tettenhall Road Conservation Area stated the following:

- Tettenhall Road is of particular importance in townscape terms being one of the main western approaches to Wolverhampton City Centre. It is essentially ribbon development, which began at the beginning of the 18th century, as Wolverhampton expanded outside its medieval confines. Development spread westwards along Tettenhall Road throughout the 19th Century, gathering pace after the opening of West Park. By the beginning of the 20th century the development of Tettenhall Road was nearly complete. The buildings reflect the status of the area during this period. The architecture is of high quality, generally comprising large villas and short imposing terraces of townhouses. The building styles along Tettenhall Road vary, reflecting both changes in architectural taste and the Victorian architectural inclination towards variety.
- From the 1930's onwards a number of larger villas were demolished and the grounds redeveloped for apartments. Some have been subdivided and are now in multiple occupation. Other buildings have been changed from residential to commercial use.

- The Westwood Hotel (259 – 261 Tettenhall Road) is a late 19th century building, originally constructed as a pair of semi-detached, two storey houses. The building is of red brick with stone dressings and a hipped roof Welsh slate roof. The front elevation retains much of its original character including the two over two paned sliding sash windows. The original ground floor canted bays have been altered to provide entrances and the stacks have been significantly reduced in height. The rear garden is landscaped but the front forecourt has been hard surfaced to provide car parking.
- Number 263 Tettenhall Road is one part of a pair of late 19th century, three storey, semi-detached houses, now in office use. It is built of red brick with stone dressings and a Welsh slate roof with brick stacks. The building retains much of its original character, with many original features surviving. The front forecourt has been hard surfaced to provide car parking.

8.2 The submitted details are the result of pre-application discussions. No objection to the proposal subject to appropriate details and materials.

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

8.4 **Landscape** – insufficient detail provided. Detailed soft and hard landscaping scheme should be a condition.

8.5 **Trees** – No objections.

8.6 **Transportation Development** – There is sufficient parking provision to cope with likely demand. However, request further details in respect of location and design of refuse storage, cycle / motorcycle parking and visibility splays.

8.7 **Housing and Health, Access Team and Building Control** – comments awaited.

9. **External Consultees**

9.1 **Severn Trent water** – No objection subject to a condition requiring the submission of sustainable drainage details and an assessment of the hydrological and hydrogeological context. No development to be constructed within 2.5 metres of a public sewer which runs across the site.

9.2 **Police** – Comments awaited

10. **Appraisal**

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

- Use as a residential institution
- Design and layout
- Boundary treatments
- Private shared amenity space
- Access and parking
- Neighbour amenity
- Landscaping
- Public art

Residential Care Home Use

- 10.2 UDP Policy H12 sets out requirements for the location and design of residential care homes. It states that proposals for residential care homes will be assessed against the proximity to public transport and local facilities. The application site is located at an accessible location, there are regular bus services along Tettenhall Road and Newbridge local centre is approximately 150m away. It is therefore considered that the use of the site as a residential care home would comply with UDP Policy H12, subject to a suitable design outcome and compatibility with adjacent uses.

Design and Layout

- 10.3 Planning Policy Guidance No.15 'Planning and the Historic Environment' sets out the need for development proposals in conservation areas to be of a high standard of design. It states that new buildings should be carefully designed to respect their setting, follow fundamental principles of scale, height, massing and alignment, and use appropriate materials. It emphasises that 'this does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets include a variety of building styles, materials and forms of construction, of many different periods, but together forming a harmonious group'.
- 10.4 The existing buildings make a positive contribution to the conservation area. It is therefore important that at such a location, the proposed extensions follow the guidance contained in PPG15. In particular, they should be subservient to the original buildings with high quality architectural treatment.
- 10.5 While not representing a copy of the original development, the proposed new development would be of an appropriate scale, height, massing and alignment, and by virtue of high quality materials and architectural design, make a positive contribution to the existing buildings and surrounding conservation area.
- 10.6 Parking arrangements should normally be located away from the public realm and catered for in ways that do not detract from the effectiveness of the built up frontage in defining public areas. However, car parking on the front forecourt is considered acceptable in this instance, since parking to the rear would result in substandard amenity space and detract from the established urban grain.
- 10.7 The layout of the proposed development would not constitute overdevelopment and there would be no detriment to the established urban grain

Boundary Treatment

- 10.8 The proposals to treat the site boundaries are broadly acceptable. However, the boundary wall to the site entrance is in a poor state of repair and detracts from the visual amenity of the surroundings. A condition can require the improvement or replacement of this boundary treatment.

Private shared amenity space

- 10.9 UDP policy H12 requires residential care homes to have adequate useable garden space. The area shown on the submitted plans is approximately 1200 square metres and is a usable shape. This would be acceptable provision.

Access and parking

- 10.10 The site layout includes 20 parking bays. Disabled and delivery vehicle parking bays are located adjacent to the main entrances. The level of parking proposed is considered acceptable.
- 10.11 Details of refuse storage and cycle parking have not been provided. These facilities should be provided to the rear. These matters can be dealt with by a condition.

Neighbour amenity

- 10.12 The premises to the north and south of the site are in commercial use and contain substantial rear extensions and car parking. There would therefore be no issues regarding residential amenity to those premises. The impact of the proposals on the living quality of occupiers of 'The Courtlands' flat development to the rear of the site would be acceptable since that development is 35 metres away from the proposed extensions with no windows in the north-east elevation which overlook the site. The nearest house in Malborough Gardens is approximately 30 metres away. Occupiers of houses along that street would not experience a significant loss of amenity.

Landscaping

- 10.13 Insufficient landscaping details have been submitted. A landscaping scheme can be required by a condition.

Public art

- 10.14 Public art can make an important contribution to the amenity and environmental quality of an area. UDP Policy D14 'The Provision of Public Art' and SPG No.16 'Provision of Public Art', states that the Council will seek to negotiate public art on all major developments. The applicant has not provided proposals for public art alongside this application. This can be secured by a condition.

11. Conclusion

- 11.1 In summary, the proposed use is one which is considered acceptable for this site and the scheme is one which will provide, when completed, new employment opportunities and the re-use of existing empty buildings which are of historic merit.
- 11.2 The proposed extensions would demonstrate a high quality standard of architectural design, and be in scale and character with the surroundings.

12. Recommendation

- 12.1 Grant subject to:

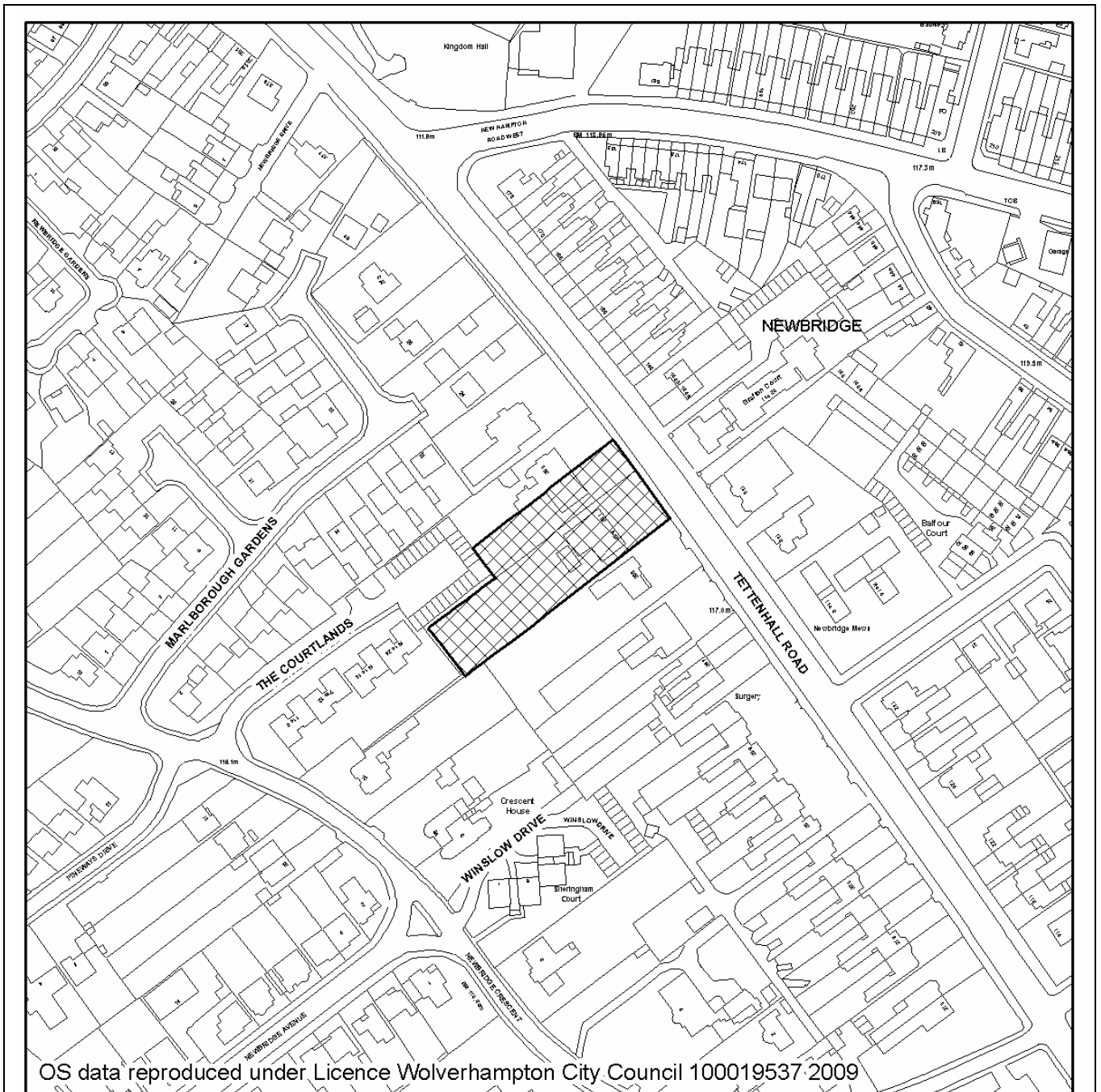
Conditions are recommended to cover:

- Targeted recruitment and training
- Building to be used for purpose applied for only (care home for the over 55's)
- Submission of materials
- Submission of architectural details
- Refuse storage
- Cycle and motorcycle storage
- Landscaping scheme
- Details of boundary treatment
- Details of hard surfacing
- Drainage
- External lighting
- Plant and ventilation equipment
- Parking provision as shown
- Car park management plan
- Exterior of the building to be completed in accordance with approved plans and details prior to occupation

Case Officer : Phillip Walker

Telephone No : 01902 555632

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01497/FUL

Location	Westwood Hotel, 259-261 & 263 Tettenhall Road, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389515 299633
Plan Printed	18.02.2009	Application Site Area	2735m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01441/OUT **WARD:** Wednesfield South
DATE: 29-Dec-08 **TARGET DATE:** 30-Mar-09
RECEIVED: 21.11.2008
APP TYPE: Outline Application

SITE: Land Opposite 3, Rookery Street, Wolverhampton, West Midlands
PROPOSAL: Outline Application. Erection of 22 apartments and 1 retail unit with associated car parking.

APPLICANT:
The Mid-Counties Co-operative
PO Box 8
10 Hatherton Road
Walsall
WS1 1JH

AGENT:
Mr Stephen Cox
Gould Singleton Architects
Earls Way
Halesowen
B63 3HR

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is situated 2.5 miles to the north-east of Wolverhampton City Centre and within Wednesfield Village Centre.
- 1.2 The development site forms a roughly rectangular shape, and is 0.25 hectares. The site is currently vacant and is approximately 85 metres wide and between 20 - 30 metres deep.
- 1.3 The site is on the south side of Rookery Street approximately 75 metres east of the Rookery Street bridge over the Wyrley and Essington Canal. The site lies between the pedestrian route through to Bentley Bridge Retail Park and the existing footpath link from Rookery Street to the Sainsbury's superstore. To the east of the site is land currently being redeveloped to create the "Wednesfield Link", which will include a new public square and improved pedestrian connections. Immediately behind and to the south of the site the land drops significantly to a lower level, behind a retaining wall, to part of the car park for the Sainsbury's store. On the opposite side of Rookery Street at this point is a mix of properties including a hot food take-away, a carpet store, glazing shop, a dwelling house and a car sales dealership.
- 1.4 The western portion of the application site includes land which previously formed part of Backhouse Lane. Backhouse Lane was severed by the creation of the Sainsbury's Supermarket and the Bentley Bridge Retail Park. All that remains is the redundant stub end road of Backhouse Lane.
- 1.5 The site is identified as being highly accessible according to the criteria as set out in Wolverhampton Unitary Development Plan. The Rookery Street frontage is subject to a highway improvement line. The proposed "5Ws" Metro line would pass along Rookery Street.
- 1.6 There are two trees at the rear of the site that are of amenity value, but they are not protected by a Tree Preservation Order.

2. Application Details

- 2.1 The application is for outline permission, but only landscaping details are reserved for later approval. Layout, scale, external appearance and means of access are all submitted for approval at this stage.
- 2.2 The application proposes 2 buildings, one either side of a centrally located vehicular access from Rookery Street, accommodating 22 dual aspect flats (2 with one bedroom and 20 with two bedrooms) and a single 118 sq.m. shop unit. The retail unit, which would be on the eastern side of the development, would look towards the Wednesfield Link and its proposed public square. A ramped access is proposed to the shop.
- 2.3 The buildings, which would enclose on three sides a rear car parking area providing 27 parking spaces, present three storeys onto Rookery Street, stepping down to one and two storeys at the sides. Four stair cases would give residents access to the front and rear of the buildings.
- 2.4 The redundant stub road of Backhouse Lane would be outside the area enclosed by the buildings and is proposed to be landscaped.
- 2.5 The design of the apartment development is contemporary in character and appearance.
- 2.6 The proposed materials include coloured facing block work, through-coloured render, reconstituted-stone feature banding and facing brickwork. The aluminium roof would be a distinctive “gull wing” design.
- 2.7 The proposed buildings would be set back from Rookery Street but do not appear to be fully behind the Highway Improvement Line (HIL). The north-western elevation of the building would be constructed along the alignment of the HIL.

3. Planning History

- 3.1 07/01088/OUT – Outline Application for residential development comprising the erection of a 3 storey building containing 32 flats. Withdrawn 01.11.2007.
- 3.2 00/1175/OP - Three storey retail/residential development and car parking comprising of 7 retail units and 14 two bed flats and 2 one bed flats. Granted 16.01.2002.

4. Constraints

- 4.1 Authorised Processes
Road Improvement Line
Sites and Monuments Entry
Wednesfield Town Centre

5. Relevant Policies

- 5.1 National Guidance
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS6 Planning for Town Centres
PPG13 Transport
PPG15 Planning and the Historic Environment

5.2 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
H1	Housing
H6	Design of Housing Development
H8	Open Space, Sport and Rec. Req. new Dev.
H9	Housing Density and Mix
H10	Affordable Housing
HE24	Management and Protection of Archaeological Sites
SH2	Centre Uses
SH3	Need and the Sequential Approach
SH4	Integration of Development into Centres
SH6	Bilston Town Centre and Wednesfield Village Centre
SH9	Local Shops and Centre Uses
SH10	Protected Frontages
SH11	New Retail Development - Comparison Goods
WVC2	Improved Linkages and Connectivity
WVC3	Midland Metro
WVC6	Frontage Use Policy
WVC7	Housing
EP1	Pollution Control
EP3	Air Pollution
EP4	Light Pollution
EP5	Noise Pollution
EP9	Sustainable Drainage Arrangements for Development
AM1	Access, Mobility and New Development
AM12	Parking and Servicing Provision
AM14	Minimising the Effect of Traffic on Communities
AM15	Road Safety and Personal Security
R7	Open Space Requirements for New Development

5.3 Supplementary Planning Guidance

SPG3 Residential Development

6. Publicity

6.1 No representations received.

7. Internal consultees

- 7.1 **Environmental Services** - request further information and recommend conditions and notes for information in relation to noise, ventilation, refuse storage, trading hours and delivery times for shop and contaminated land remediation.
- 7.2 **Property Services** - no objection.
- 7.3 **Archaeology** - no objection but recommend a condition requiring an archaeological watching brief.
- 7.4 **Transportation Development** - no objection in principle subject to the resolution of the following matters:
- (i) Satisfactory visibility for vehicle drivers and pedestrians into and out of the site access.
 - (ii) The proposed uses may lead to inappropriate parking along Rookery Street. To ensure against this the applicant should provide a financial contribution towards the installation of Traffic Regulation Orders.
 - (iii) Submission of a servicing strategy for the retail unit, including deliveries and refuse collection.
 - (iv) Provision of 2 disabled parking bays, 2 motorcycle bays, covered and secure cycle parking provision.
 - (v) Submission of revised plans which show that no part of the proposed building structure, including footings, would impinge on the Highway Improvement Line.
 - (vi) Swept path analysis which demonstrates that refuse vehicles can satisfactorily manoeuvre within the site.
- 7.5 **Access officer** - made detailed building control comments and recommends that 2 disabled parking bays are provided.

8. External consultees

- 8.1 **Severn Trent Water** - no objection subject to a condition requiring the submission of sustainable drainage details and an assessment of the hydrological and hydrogeological context.
- 8.2 **Environment Agency** - no objection.
- 8.3 **Police** - no objection
- 8.4 **Centro** – No objection subject to the proposed development not impeding upon any future operation of the proposed “5Ws” Metro scheme.

9. Appraisal

- 9.1 The key issues to be considered when determining this application are:
- The principle of mixed use residential and retail development
 - Design and layout
 - Boundary treatments
 - Private shared amenity space
 - Access and parking
 - Refuse store
 - Section 106A requirements

The Principle of the Uses

Residential Use

- 9.2 Although the site is not allocated for a specific use in the UDP, it is within the Wednesfield Village Centre where policy WVC7 states that the Council will support residential uses in suitable locations, particularly as part of mixed use development. This is considered to be a suitable site for residential development.

Retail Use

- 9.3 UDP policy SH2 identifies retail as a 'centre use'. The application site is located 300 metres outside of the Wednesfield Primary Shopping Area and therefore in accordance with UDP policy SH4, it is in an "edge of centre" location. UDP policy SH3 sets out that proposals for the development of centre uses in edge of centre locations will be permitted provided that it has been demonstrated that:

1. There is a need for the proposed development;
2. A sequential approach to site selection has been adopted; and
3. The proposed development is of a scale and nature appropriate to the location concerned.

- 9.4 UDP policy SH3 states that when adopting a sequential approach to site selection the first preference should be for sites within a defined centre. Only in the absence of such sites should edge of centre sites be considered.

- 9.5 Where an edge of centre location, such as the application site is proposed, applicants should demonstrate that sites within the main shopping areas are not suitable, viable and likely to become available over the period which the need is likely to arise.

- 9.6 The applicants have not shown that there is a need for the proposed retail development, and have not demonstrated a sequential approach to site selection. Therefore the proposed retail use does not comply with UDP policies SH2 and SH3.

- 9.7 Although the site is located outside of the Primary Shopping Area, it is within Wednesfield Village Centre in an accessible location. It is at a key position between the Primary Shopping Area, Wednesfield Link, Bentley Bridge Retail Park and Sainsburys food store. UDP policy WVC2 seeks to ensure improved linkages and connectivity in Wednesfield. In accordance with policy WVC2, the proposed retail use would contribute towards extending the focus of the centre and help to secure the integration of Sainsburys food store. The proposed shop front would face onto the Wednesfield Link, and provide an active frontage, generating street level activity and a strong physical and functional linkage between Wednesfield Village Centre and Bentley Bridge Retail Park. It is therefore considered that the principle of retail development of the scale proposed is acceptable at this location.

Design and Layout

- 9.8 Although the building is set back from Rookery Street further than would normally be desirable, this is necessary because of the highway improvement line.

- 9.9 While it is unfortunate that the building line does not extend further to the west, over the stub of Backhouse Lane, the agents state that this is not possible because the land is not in the applicant's ownership.

- 9.10 On balance the siting of the buildings is considered broadly acceptable. However, the site is affected by an active Highway Improvement Line (HIL) along Rookery Street. The proposed building would appear to encroach upon the HIL at its north-western corner. The agent has been asked to submit a revised plan which shows that no part of the building, including footings, would impinge on the HIL.

- 9.11 The buildings will be of sufficient height to positively contribute to a sense of enclosure of the public realm. Elevations will be in scale with the proportions of the adjacent space and provide a sense of place to the streets and spaces to which the development will provide a built edge.
- 9.12 The car parking provision would be catered for at the rear of the buildings and as such it would not detract from the effectiveness of the built up frontage in defining the public realm.
- 9.13 The proposed ramped entrance to the shopping unit would appear as a visually obtrusive and incongruous feature. The ramp is not necessary for disabled access. The agent has been requested to omit the ramped access from the application.
- 9.14 The standard condition to prevent obscuring of the shop front windows would be appropriate. Such a condition is necessary to prevent the high quality design concept of the whole development being undermined by inappropriate advertising or other internal changes blocking views through the shop front.

Boundary Treatments

- 9.15 The application does not include boundary treatment details and the agent has been requested to provide these details. Along the Rookery Street and east and western site boundaries, dwarf walls topped by round metal rod railings would be appropriate. The rear boundary adjoining with Sainsbury's car park should be enclosed by a solid brick wall, approximately 1.8m high.

Private Amenity Space

- 9.16 UDP policy H6 requires proposals for residential development to have adequate provision of private amenity space. The proposed level of amenity space is significantly substandard. However, the design imperative to enclose the site on 3 sides by buildings plus the requirement to respect the Highway Improvement Line means that there is not sufficient space within the site to provide the normal amount of amenity space. Nevertheless, amenity space provision could be improved by providing private terraces to ground floor flats and larger balconies to those on the upper floors. The agents have been asked to make these changes.

Access and Parking

- 9.17 The site layout includes an adequate number of car parking spaces but there is no provision of disabled parking. Additionally, the proposed cycle store is too small and no details of the building have been provided. The agent has been asked to show 2 disabled parking spaces and adequate cycle parking provision and also to demonstrate that service vehicles can satisfactorily manoeuvre within the site.
- 9.18 The proposals have the potential to create unacceptable additional on-street parking on Rookery Street. It would therefore be appropriate to require that the applicant provides a financial contribution towards the installation of traffic regulation orders along the south side of Rookery Street to prevent inappropriate on-street parking, which could be detrimental to highway safety and the free flow of traffic.
- 9.19 The refuse store appears to be too small and no details of the building have been submitted. The agents have been asked to provide details of the building and demonstrate that its size is adequate.

Section 106 Agreements

9.20 There is a requirement for a S106 agreement to secure:

- affordable housing (policy H6)
- BCIS indexed public open space/play contribution (policy H8).
- public art (policy D14)
- contribution towards traffic regulation orders along Rookery Street.
- management company for communal areas.

10. Conclusion

10.1 The proposed mix of uses is acceptable.

10.2 The design and layout of the development is broadly acceptable. However, there are outstanding matters of detail to be resolved, relating to;

- amendment to siting to avoid HIL
- the provision of terraces and larger balconies
- the omission of the ramped access to the shop
- provision of disabled parking
- provision of cycle parking
- demonstration of lorry manoeuvring
- adequate refuse store
- boundary treatments

11. Recommendation

11.1 Delegated authority to the Director for Sustainable Communities to grant subject to:

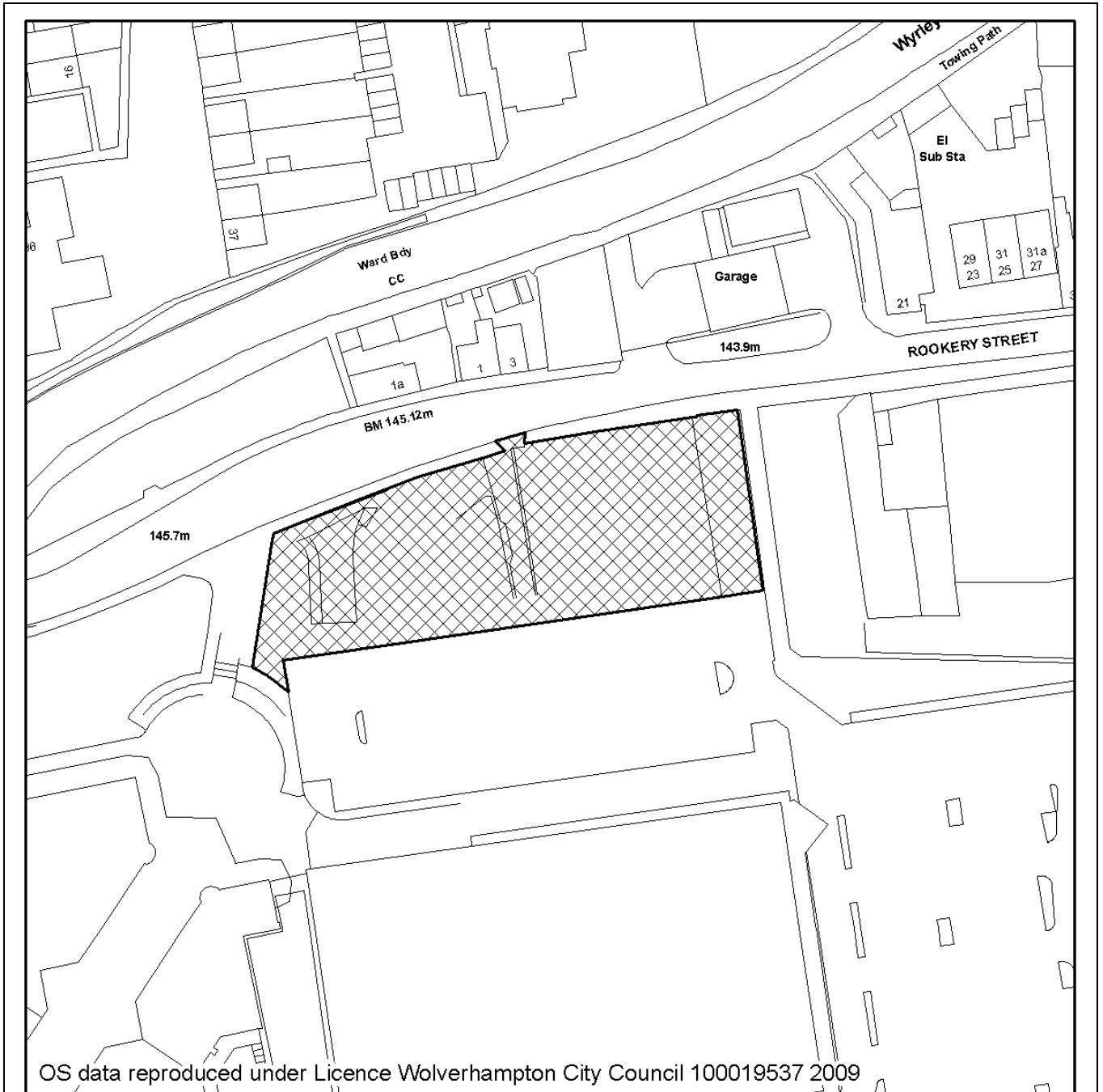
1. Satisfactory resolution of outstanding matters.
2. Negotiation of a S106 Agreement to secure affordable housing, public open space/play contribution (BCIS indexed), public art, a contribution towards traffic regulation orders along Rookery Street and a management company for communal areas.
3. Conditions to include:
 - Materials
 - Exterior of building to be completed in accordance with approved plans and details prior to occupation
 - Large scale architectural details
 - Refuse storage
 - Cycle storage
 - Implementation of landscaping scheme
 - Stub road to be landscaped prior to occupation of western block
 - Boundary treatments
 - External lighting
 - Drainage
 - Noise attenuation
 - Parking to be provided and retained
 - No external plant, ventilation equipment, meter boxes, vents, flues, aerials, satellite dishes etc without written approval
 - Car park and retail delivery and servicing plan
 - Building and site security

- Restrict shop to A1 (retail) use
- Hours of shop opening and maintaining open shop front display
- Contaminated land remediation
- Noise attenuation
- Archaeological scheme

Case Officer : Phillip Walker

Telephone No : 01902 555632

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01441/OUT

Location	Land Opposite 3, Rookery Street, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 394257 300072
Plan Printed	18.02.2009	Application Site Area	2542m ²

PLANNING COMMITTEE - 03-Mar-09

<u>APP NO:</u>	08/01434/OUT	<u>WARD:</u>	Ettingshall
<u>DATE:</u>	26-Nov-08	<u>TARGET DATE:</u>	25-Feb-09
<u>RECEIVED:</u>	19.11.2008		
<u>APP TYPE:</u>	Outline Application		

SITE: Polypipe Factory, Chestom Road, Wolverhampton, West Midlands

PROPOSAL: Outline Application for Residential Development.

<u>APPLICANT:</u>	<u>AGENT:</u>
Polypipe	Mr A Morgan
Broomhouse Lane	Atisreal
Edlington	9 Colmore Row
Doncaster	Birmingham
South Yorkshire	West Midlands
DN12 1ES	B3 2BJ

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is situated less than 1km west of Bilston Town Centre, to the north of Millfields Road.
- 1.2 The site, which is generally level, has an irregular shape and an area of approximately 1.41 hectares. It currently forms the western part of the Reliance Trading Estate, accessed from Chestom Road, and is occupied by industrial buildings. Chestom Road is accessed from Millfields Road, via Chem Road.
- 1.3 To the east of the site is the remainder of the Trading Estate. To the south of the site is housing along Stom Road and Livingston Road. The Birmingham Canal runs along the south-west boundary. To the north and north-west of the site is the Ward Street development site which has outline planning permission for mixed use development including new housing, retail, community uses and open space.
- 1.4 A site location plan is attached at the end of this report.

2. Application Details

- 2.1 The application is for outline permission, with external appearance, landscaping and scale reserved for later approval. Layout and means of access are submitted for approval at this stage.
- 2.2 The application proposes 53 houses at a density of 38 dwellings per hectare. The dwellings would be provided in the form of terraces, semi-detached and detached houses. Each dwelling would have two car parking spaces, mostly in front of the houses.
- 2.3 Vehicular access is proposed from Chestom Road, in the north west corner of the site. A new footway is proposed on the north side of Chestom Road and a new car park to serve the Trading Estate is proposed adjacent to the application site. A pedestrian link is proposed from Stom Road in the south west corner of the site.

- 2.4 An acoustic barrier is proposed between the rear gardens of plots 1 - 8 and the retained industry to the east.
- 2.5 Although, scale, external appearance and landscaping are reserved for later approval, the agent has stated that three storey buildings would be provided fronting onto the canal and open space frontages proposed as part of the Ward Street development, whilst elsewhere building heights would generally be two storeys. The proposed materials would be red facing brick and render.
- 2.6 Supporting documents:
- Design and Access Statement
 - Planning Statement
 - Transport Assessment
 - Flood Risk Assessment
 - Noise Assessment
 - Economic and Market Assessment
 - Environmental Assessment
 - Sustainability Checklist

3. Planning History

- 3.1 None

4. Constraints

- 4.1 Coal
Landfill Gas Zones
Sites and Monuments Entry
Defined Business Area

5. Relevant Policies

5.1 National Guidance

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS6 Planning for Town Centres
- PPG13 Transport
- PPG15 Planning and the Historic Environment

5.2 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
- B9 Defined Business Areas
- B10 Redevelopment of Employment Land and Premises
- H1 Housing
- H6 Design of Housing Development
- H8 Open Space, Sport and Recreation Requirements for new Housing Developments
- H9 Housing Density and Mix
- H10 Affordable Housing
- HE24 Management and Protection of Archaeological Sites
- EP1 Pollution Control
- EP3 Air Pollution
- EP4 Light Pollution
- EP5 Noise Pollution
- EP9 Sustainable Drainage Arrangements for Development
- AM1 Access, Mobility and New Development
- AM12 Parking and Servicing Provision
- AM14 Minimising the Effect of Traffic on Communities
- AM15 Road Safety and Personal Security
- R7 Open Space Requirements for New Development

5.3 Supplementary Planning Guidance

SPG3 Residential Development

6. Publicity

- 6.1 The application was publicised by site and press notices and letters to neighbours.
- 6.2 No representations received.

7. Internal Consultees

7.1 **Transportation Development:**

- i) The improvements to Chestom Road (new footway and car park) are essential to make this a safe access to the site.
- ii) Details of parking/driveways and general road layout, currently proposed, are unacceptable.
- iii) The applicant has not provided sufficient information regarding the relationship between the proposed road layout for this development and that of the approved Ward Street Master Plan development.

- 7.2 **Environmental Services** – No adverse comments regarding the submitted noise assessment and recommend conditions in relation to contaminated land remediation.

8. External consultees

- 8.1 **Centro** – No objection in principle but recommend that a Travel Plan be required by condition.
- 8.2 **The Wildlife Trust** – No objection.
- 8.3 **Police, Environment Agency and Severn Trent Water Ltd** – Comments awaited.

9. **Appraisal**

9.1 The key issues are:

- i) The Principle of redeveloping employment land for residential purposes
- ii) Environmental issues
- iii) Layout
- iv) Highway matters
- v) Section 106A requirements

The Principle of redeveloping employment land for residential purposes

9.2 The application site forms a part of Reliance Trading Estate and UDP policy B10 'Redevelopment of Employment Land and Premises' applies. This policy states that the redevelopment of employment land for non-employment purposes may be acceptable, subject to meeting specified criteria.

9.3 Criteria 3 is that the land should be unsuitable for continued employment use and that it has been demonstrated that there is no market demand for continued employment use. Information provided in support of the application demonstrates that the site is unsuitable for continued employment use. The site has been marketed since May 2006, and there has been minimal interest. The site is unlikely to meet modern occupiers general requirements for industrial premises and redevelopment costs for employment uses are likely to make such a development financially unviable.

9.4 In terms of criteria 4 and paragraph 9.8.13 of policy B10, the analysis of the prevailing and future Employment Land Supply in Wolverhampton and the Black Country, demonstrates that a loss of 1.4ha of land would not prejudice the required supply of a balanced portfolio and geographical spread of land for employment purposes.

Environmental Issues

9.5 UDP policy B10 also states that, in all cases it will also be necessary to demonstrate that the introduction of the alternative uses proposed will not inhibit or prejudice the operations of any nearby occupiers or businesses.

9.6 A noise assessment has been provided by the agents. This has identified potential noise sources as being from retained industry to the east of the site. Mitigation measures, including an acoustic fence are proposed along the eastern boundary of the site adjacent to housing plots 1 - 8. The Council's Public Protection Division have confirmed that with this mitigation measure in place the residential amenity offered to potential occupiers of the dwellings is acceptable. On that basis it is considered that the residential redevelopment of the site would not be likely to inhibit or prejudice the operations of any businesses on the retained portion of the Reliance Trading Estate to the east.

Layout

9.7 The proposed houses are narrow fronted, in many cases being less than 5m wide. Terraced houses dominate. This results in a cramped form of development with several identifiable problems.

9.8 Several rear gardens would be below the 55sq.m. standard for a small family home, as set out in SPG3.

- 9.9 Car parking spaces would dominate street frontages, resulting in a visually unattractive street scene.
- 9.10 Many car parking spaces are of inadequate length to ensure that vehicles would not overhang roads and footways. Some parking spaces have footways running to their rear, leaving pedestrians vulnerable.
- 9.11 Parking for plots 2, 14, 27, 44 would be positioned in locations remote from the dwellings which they would serve. This would make vehicles more vulnerable to crime and the parking spaces would be less safe and convenient to use. This would encourage occupiers to park their cars on the highway as an alternative.
- 9.12 To gain access to rear gardens, long back alleyways serving several houses are proposed. These alleys would be difficult to keep secure, because of the number of occupiers who would be able to access them. As such they could attract anti-social behaviour and would facilitate crime.
- 9.13 The house on plot 49 would be positioned within the perimeter block, in a back-land position. It would have a cramped relationship with houses to the north.
- 9.14 The fronts of houses on plot 49 and 50 would look onto the side elevation of the house on plot 48 at a distance of less than the 12m minimum separation distance recommended in SPG3.
- 9.15 The proposed road leading north into the site from the canal would terminate with the garage and parking spaces serving plots 48 and 49, which would represent poor design.
- 9.16 The pair of semi-detached house on plots 43 and 44 are shown set back from the street corner. This would fail to adequately define and turn the corner.
- 9.17 There are a number of houses with prominently visible side elevations, particularly those occupying corner positions but also those on plots 3, 7 and 8. While it states in the Access and Design Statement that corner buildings will be designed to be “double fronted” to minimise large areas of blank walls, this has not been illustrated and the layout plan shows no architectural features such as bay windows.
- 9.18 The proposed layout fails to satisfactorily integrate with the layout of the adjacent Ward Street development site, as illustrated in the approved masterplan.

Transportation Matters

- 9.19 Chestom Road currently serves a number of industrial and commercial premises, and vehicular access into those buildings is at the back edge of the footway. Chestom Road is not currently afforded a pedestrian footway on its northern side and the footway on the southern side is not fully raised but is almost level with the carriageway, which promotes on-street parking, loading and unloading in front of the commercial premises. Due to its industrial and commercial use and lack of formal footways, it is unsuitable for use as an access route to a residential development.
- 9.20 However, it is proposed in the TA that a new footway will be provided along the north side of the road, as well as a car park to serve the Trading Estate. Both of these would be essential to ensure that Chestom Road can provide a safe access to the site.
- 9.21 Three car parking bays are proposed in the north-east corner of the site, adjacent to the proposed access from Chestom Road. These would be likely to be detrimental to highway and pedestrian safety and the free flow of traffic.

Section 106 Agreements

9.22 If permission were to be granted, there would be a requirement for a S106 agreement to secure:

- Affordable housing (policy H6)
- BCIS indexed public open space/play contribution (policy H8).
- Public art (policy D14)

10. Conclusion

10.1 The loss of employment land has been satisfactorily justified and housing on this site is acceptable in principle. However, the proposal would represent poor design and an overdevelopment of the site, as demonstrated by the problems identified above.

11. Recommendation

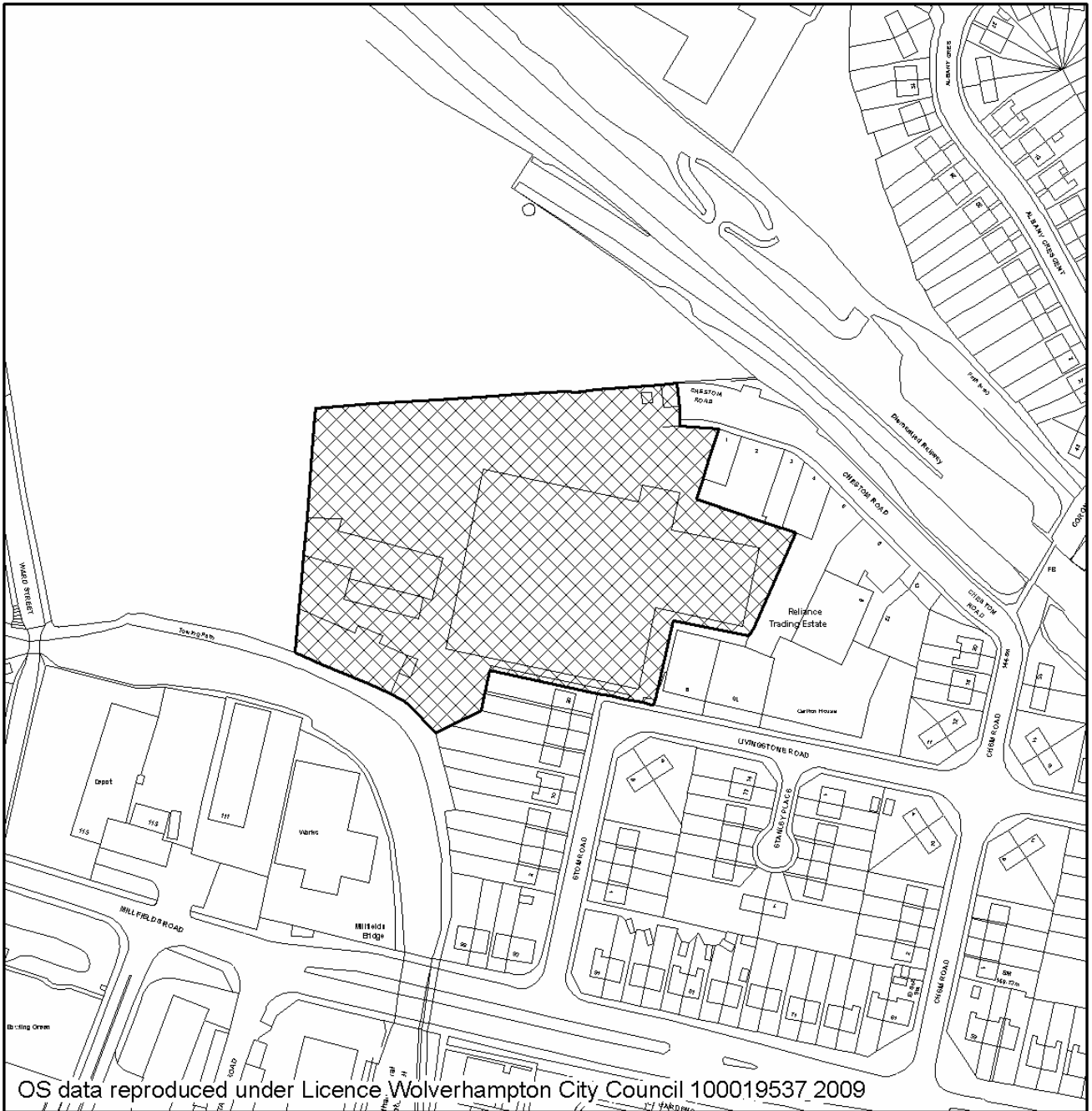
11.1 Refuse permission for the following reasons:

1. The proposed layout of development is cramped in form, would provide inadequate private garden space, a poor relationship between buildings, frontages dominated by car parking, insecure back alleyways and sub-standard parking spaces and parking spaces remote from dwellings. The proposed development would therefore be contrary to UDP policies D1 'Design Quality', D4 'Urban Grain', D5 'Public Realm', D6 Townscape and Landscape', D9 'Appearance', D10 'Community safety' and H6 'Design of Housing Development'.
2. It has not been demonstrated that prominent side elevations will be designed to have sufficient visual interest. The proposed development would therefore be contrary to UDP policies D1 'Design Quality', D5 'Public Realm', D6 Townscape and Landscape', D9 'Appearance', and H6 'Design of Housing Development'.
3. The three proposed off-street car parking bays to the north-east of the site, would be too close to the proposed access and road junction with Chestom Road. Visibility for pedestrians and drivers entering and exiting the proposed parking bays would be substandard and as such there would likely be a detriment to highway and pedestrian safety and the free flow of traffic. The proposed development is therefore contrary to UDP policies H6 'Design of Housing Development', AM12 'Parking and Servicing Provision' and AM15 'Road Safety and Pedestrian Safety'.
4. The proposed street frontage parking bays, with footways located at the rear of the bays, would be likely to be detrimental to pedestrian safety. The proposed development is therefore contrary to UDP policies H6 'Design of Housing Development', AM9 'Provision for Pedestrians', AM12 'Parking and Servicing Provision' and AM15 'Road Safety and Pedestrian Safety'.
5. The proposed layout fails to satisfactorily integrate with the layout of the adjacent Ward Street development site, as illustrated in the approved masterplan. The proposed development is therefore contrary to UDP policies D1 'Design Quality', D6 Townscape and Landscape', 'H6 'Design of Housing Development'

Case Officer : Phillip Walker

Telephone No : 01902 555632

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01434/OUT

Location	Polypipe Factory, Cheston Road, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 393945 296445
Plan Printed	18.02.2009	Application Site Area	14168m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01515/DWF **WARD:** Bilston East
DATE: 19-Dec-08 **TARGET DATE:** 20-Mar-09
RECEIVED: 10.12.2008
APP TYPE: Full Deemed Planning Permission (WCC)

SITE: Land Bounded By Bankfield Road Dudley Street, Black Country Route, Wolverhampton, West Midlands

PROPOSAL: Erection of a two storey leisure centre and associated parking and landscaping

APPLICANT:
Mr Chris Huddart
Head Of Community Services
Wolverhampton City Council
St Peters Square
Wolverhampton
WV1 1RL

AGENT:
Mr Jeff Phelps
Property Services
Civic Centre
St Peter's Square
Wolverhampton
WV1 1RL

COMMITTEE REPORT:

1. Site Description and Background

- 1.1 The application site is located approximately 3.5 miles to the south-east of Wolverhampton City Centre and is immediately to the south of Bilston Town Centre.
- 1.2 The development site is currently vacant and an irregular shape. It is approximately 1.13 hectares. A location plan is attached.
- 1.3 The site lies at a visually prominent position on the south side of the Black Country Route (A463) and is between Bankfield Road to the east, Nettlefolds Way to the south and housing and Parkfields High School to the west.
- 1.4 As part of the proposed development of the Bilston Urban Village scheme, the City Council (as Development Partner and part landowner) and Advantage West Midlands produced a development brief for "Plot A", part of which is identified as the site for the leisure centre.
- 1.5 It states that the site will be the first phase of Bilston Urban Village. The site is described as being suitable for mixed use development, including a leisure centre and health facility. A pedestrian boulevard would run through the centre of the site, forming a north-south axis linking through to Bilston Town Centre.
- 1.6 The document calls for buildings of high quality design and excellent environmental performance and discusses a range of possible materials and approaches to the overall site design.

2. Application Details

- 2.1 This is a full application for the development of a two storey leisure centre and associated car parking (107 spaces) and landscaping.
- 2.2 The proposed development would take the form of a two storey building, with a mezzanine floor. The building would include 7680 square metres of floor space.
- 2.3 The building would be a triangular shape which would clearly define the site frontages and create a strong built edge to the proposed pedestrian boulevard. The proposed car parking and service areas would be catered for on the south-west and north-west elevations to the building.
- 2.4 On the ground floor of the building there would be a 25 metre swimming pool and a smaller studio pool. There would also be changing and shower facilities and an ancillary café. The sports hall, gymnasium and ball courts are to be located at mezzanine and first floor levels. External windows around the perimeter of the building will have the effect of 'showcasing' all of the facilities and activities.
- 2.5 The design of the development is contemporary in character and appearance.
- 2.6 A key feature of the external design of the proposed development is a central tower, being predominately constructed from glazing panels and brise soleil. It would face onto the pedestrian boulevard, demark the main entrance and accommodate front line services, including the main customer reception.
- 2.7 The proposed materials include profiled polycarbonate and aluminium cladding panels, frameless external windows and brise soleil.
- 2.8 There would be clear pedestrian links to the proposed development from Bilston Town Centre, to the north, and also from the east, south and west. The proposed pedestrian boulevard would lead straight to the main entrance of the building. A secondary access into the building is also proposed. Pedestrian movement through the rear car park would be prioritised through the provision of raised footpaths and crossing areas.
- 2.9 Access into the site for service vehicles only, would be from the north of the site, off the Black Country Route and Prosser Street. A new road to the south of the site, off Dudley Street, would allow access to the customer parking areas. A coach drop-off point is proposed to the south of the site, on Nettlefolds Way, close to its junction with Dudley Street.
- 2.10 There would be 33 full-time jobs created. The development is likely to represent an investment of approximately £15 million.

3. Planning History

- 3.1 05/1894/FP/M – Land reclamation and remediation, infrastructure works including new roads and repositioning of pedestrian crossing of the Black Country Route. Granted 17.03.2006
- 3.2 01/1071/OP/M – Mixed use development including housing, employment, leisure, community facilities and retail facilities, including public open space. 19.12.2003
Granted

4. Constraints

- 4.1 Coal
Landfill Gas Zones
Sites and Monuments Entry

5. Relevant policies

5.1 National Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport
PPG15 Planning and the Historic Environment
PPG17 Open Space, Sport and Recreation

5.2 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
HE24 Management and Protection of Archaeological Sites
EP1 Pollution Control
EP3 Air Pollution
EP4 Light Pollution
EP5 Noise Pollution
EP9 Sustainable Drainage Arrangements for Development
AM1 Access, Motability and New Development
AM12 Parking and Servicing Provision
AM14 Minimising the Effect of Traffic on Communities
AM15 Road Safety and Personal Security
R9 New Open Space, Sport and Recreation Facilities

6. Publicity/neighbour notifications and representations

- 6.1 No representations received.

7. Internal consultees

- 7.1 **Transportation Development** has no objection in principle but make the following comments and recommendations:

- (i) Parking provision is acceptable
- (ii) A financial contribution should be provided towards improvements to surrounding highway infrastructure
- (iii) Disabled parking bays to be redesigned

- (iv) Cycle bays to be covered and secure
- (v) Cycle parking should be provided to the rear of the building
- (vi) Motorcycle parking to be covered and include locking bars
- (vii) The service yard is poorly laid out and the applicant should demonstrate that service vehicles can adequately manoeuvre within the site
- (viii) Travel plan is unacceptable
- (ix) Parking bays 54, 55, 88 and 89 are shown blocked by the ramps up to the raised footway.
- (x) The proposed coach lay-by on Nettlefolds Way, near to Dudley Street is unacceptable. It is requested that a drop off point be provided in the vicinity of the proposed service area.
- (xi) In regards to mini-bus stop swept path analysis should be provided which show how the coaches will turn around to exit the site,
- (xii) The applicant should clarify where coaches are expected to wait once they have dropped their passengers off.

7.2 **Landscape** has no objection

7.3 **Environmental Services** request further information and recommend conditions and notes for information in relation to contaminated land remediation, noise mitigation measures, access times for delivery and collection of goods and refuse, building and car park lighting and hours of construction.

7.4 **Building Control** request that the development be compliant with Part M of the Building Regulations and recommend that the building be provided with fire fighting shafts.

7.5 **Archaeology** has no objection subject to a condition requiring an archaeological watching brief.

7.6 **Parks & Contracts (Leisure)** supports the proposals in principle but requests that the proposed pedestrian route across the rear car park aligns with the secondary access to the building.

7.7 **Access Team** make detailed building regulation comments.

7.8 **Building Schools for the Future** has no objection to the proposals and point out that a new Academy is proposed to replace Parkfields High School.

8. External consultees

8.1 **Environment Agency** objects and recommends refusal as the Flood Risk Assessment is unacceptable.

8.2 **Sport England** has no objection to the proposals in principle but requests further information in relation to cycle storage and pedestrian access from nearby schools. Recommend an increase provision of spectator seating and request privacy screens around the swimming pools to safeguard the privacy of users.

8.3 **MADE** (Midlands Architecture and the Designed Environment) support the way in which the development expresses an understanding of the functions; how they relate to each other and their arrangement within the building.

8.4 **Wolverhampton Fire Safety** has no objection.

8.5 **Central Networks** has no objection.

- 8.6 **Advantage West Midlands, Severn Trent Water Ltd, GPU Power Distribution, Transco, Centro and West Midlands Police** – comments awaited.

9. Appraisal

- 9.1 The key issues for consideration in this particular case are:

- I.Principle of development
- II.Design and layout
- III.Access and parking
- IV.Flood risk protection
- V.Public art

The Principle of the Development

- 9.2 This application is for a leisure centre development, including swimming pools, gymnasium and café. UDP policy R9, states that new sports facilities should be located in accessible locations and be compatible with adjacent uses. In addition, the supporting statement to policy R9 states that major sport and recreation developments which attract large numbers of visits, such as leisure centres, should be located within or immediately adjacent to Wolverhampton City Centre, Wednesfield Village Centre, Bilston Town Centre or other defined centres.
- 9.3 The application site is identified as a suitable location for a leisure centre within the Bilston Urban Village Development Brief. It is located immediately adjacent to Bilston Town Centre and is accessible by a choice of transport modes. The proposed use will relate positively to nearby schools and the proposed health facility. It will improve linkages between the Town Centre and Bilston Urban Village. The development will provide the opportunity for a significant enhancement of recreation and community facilities adjacent to Bilston Town Centre. It is therefore considered that the principle of the proposed use is acceptable.

Design and Layout

- 9.4 The siting of the building with its main frontage onto the proposed pedestrian boulevard is considered appropriate.
- 9.5 The building will be of sufficient height to positively contribute to a sense of enclosure of the public realm. Elevations will be in scale with the proportions of the adjacent space and provide a sense of place to the streets and spaces to which the development will provide a built edge.
- 9.6 The car parking provision would be catered for at the south-west and north-west elevations of the building and away from the pedestrian boulevard. As such it would not detract from the effectiveness of the built up frontage in defining the public realm.
- 9.7 The architectural design of the building is generally acceptable. However, the main entrance to the building is discrete and recessed back from the principle elevation. The entrance of the building should be the focal point of the building and be a secure space. It needs to be better expressed to improve legibility for pedestrians and deter crime. The agent has been requested to amend the design of the main access.
- 9.8 The agents have confirmed that air conditioning plant will be located on the roof, screened by a parapet wall. They have been asked to demonstrate that the plant will be adequately screened.

Access and parking

- 9.9 The site layout includes an adequate number of car parking spaces but the disabled parking bays are too small. Additionally, the cycle and motorcycle parking is not covered or satisfactorily secure. The agent has been asked to show larger disabled parking bays, improved cycle and motorcycle storage, and also demonstrate that mini-buses and service vehicles can satisfactorily manoeuvre within the site.
- 9.10 Four of the car parking bays would be rendered unusable by virtue of the alignment and design of the proposed pedestrian route. In addition, the pedestrian route does not connect directly with the secondary access of the building. The agent has been asked to submit amended plans which satisfactorily address these issues.
- 9.11 The proposed coach lay-by on Nettlefolds Way, near to Dudley Street would be likely to result in a detriment to the free flow of traffic and highway safety. The agent has been requested to submit amended proposals which provide alternative arrangements for coach drop-off and waiting area.
- 9.12 The submitted Travel Plan is unsatisfactory. The agent has been requested to submit a revised Travel Plan.
- 9.13 The proposed leisure centre represents a significant proportion of the traffic likely to be generated by the Bilston urban Village development. As such it would be appropriate for a financial contribution to be made towards mitigation measures to be implemented on the local transport network. A Section 106 Agreement could secure a financial contribution from the developers towards highway improvements in the local area.

Flood risk protection

- 9.14 The submitted Flood Risk Assessment (FRA) is unacceptable and the Environment Agency has therefore objected. It is understood that the agent has engaged with the Environment Agency with a view to submitting a revised FRA which will result in the removal of the objection.

Public Art

- 9.15 Public art provision is required in accordance with UDP policy D14 and SPG 16. The application does not include proposals for the public art. This can be secured through a section 106 agreement.

10. Conclusion

- 10.1 The proposed use is acceptable in principle.
- 10.2 The proposed development will result in essential sport facilities and a landmark building at this key site adjacent to Bilston Town Centre and the proposed Bilston Urban Village.
- 10.3 The design and layout is broadly acceptable. However, there are outstanding matters of detail to be resolved, relating to
- I. improved design for the main entrance
 - II. provision of satisfactory disabled parking
 - III. provision of satisfactory cycle and motorcycle parking
 - IV. demonstration of coach and service vehicle manoeuvring
 - V. alternative arrangements for coach drop-off
 - VI. alterations to car park layout and pedestrian route through rear car park

- VII. submission of satisfactory Travel Plan
- VIII. screening of roof plant

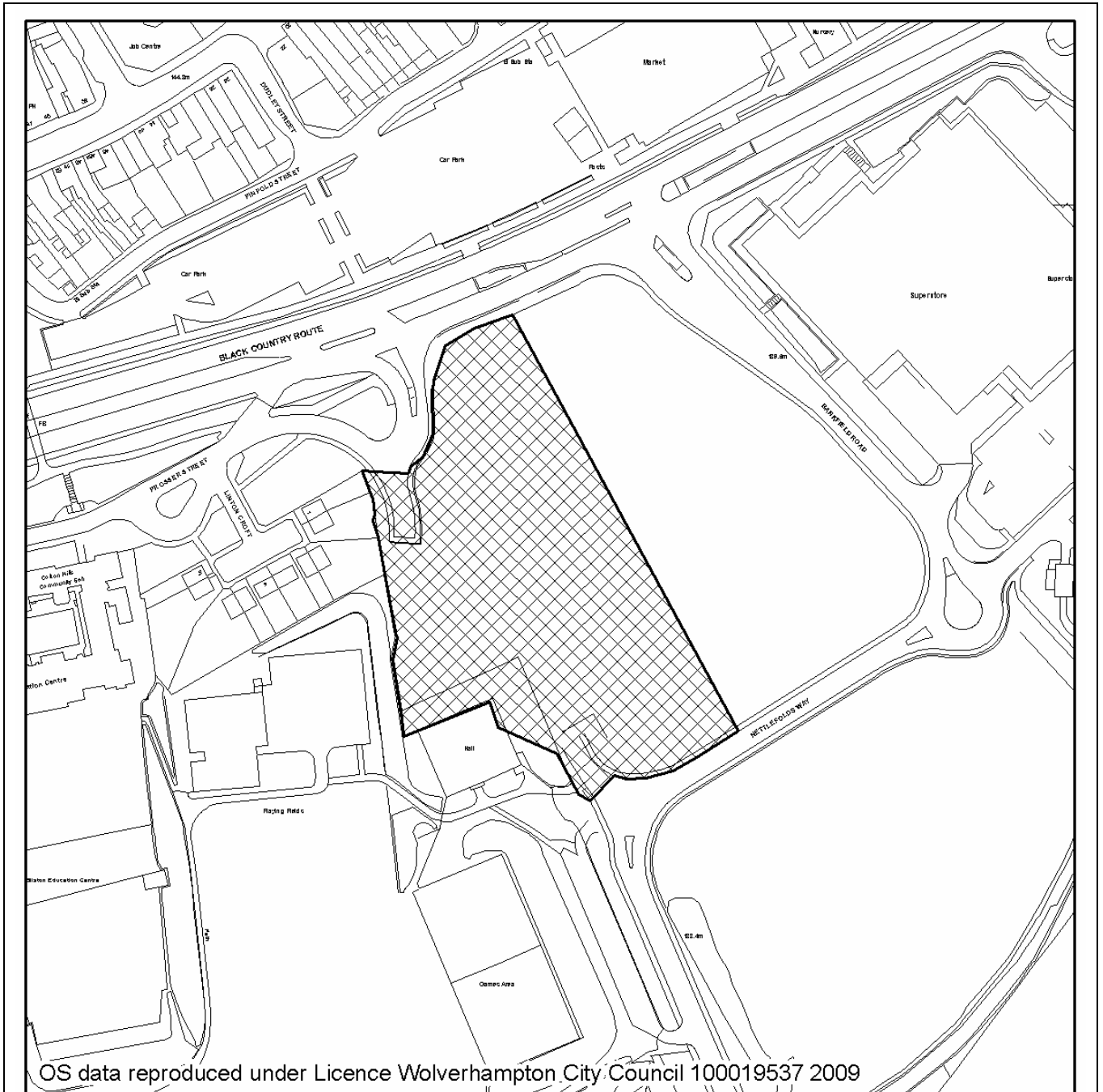
10.4 There is an outstanding objection from the Environment Agency which needs to be resolved through the submission of a satisfactory Flood Risk Assessment.

11. **Recommendation**

11.1 Delegated authority to the Director for Sustainable Communities to grant subject to:

1. No significant objections from outstanding consultees.
2. Satisfactory resolution of outstanding matters as set out at paragraph 10.3 above, including Travel Plan and Environment Agency objection.
3. Negotiation of a S106 Agreement to secure a financial contribution for improvements to the surrounding highway infrastructure, public art and targeted recruitment and training.
4. Conditions to include:
 - Materials
 - Exterior of building to be completed in accordance with approved plans and details prior to occupation
 - Large scale architectural details
 - Refuse storage
 - Cycle storage
 - Implementation of landscaping scheme
 - Boundary treatments
 - External lighting
 - Drainage
 - Parking to be provided and retained
 - No external plant, ventilation equipment, meter boxes, vents, flues, aerials, satellite dishes etc without written approval
 - Car park, coach drop-off and servicing plan
 - Building and site security
 - Hours of opening
 - Contaminated land remediation
 - Noise attenuation
 - Archaeological scheme

Case Officer : Phillip Walker
Telephone No : 01902 555632
Head of Development Control – Stephen Alexander



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Planning Application No: 08/01515/DWF

Location	Land Bounded By Bankfield Road Dudley Street, Black Country Route, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 394838 296170
Plan Printed	18.02.2009	Application Site Area	11929m ²

accommodation contradicts the number of units shown in the layout. Clarification has been sought on this matter). However, the layout still does not present an acceptable form of development that would accord with the relevant UDP Policies.

- 3.3 A letter was sent to the agents on 30th January 2009 requiring clarification on certain matters and the submission of amended drawings which included:

Layout

- clarification of detail on the drawing not included in the key
- submission of house types for dwellings
- submission of elevations and layout plans for apartments
- submission of street elevations
- removal of external alleyways to reduce the likelihood of anti-social behaviour
- revision of the layout to ensure all houses have satisfactory garden size and there is sufficient private amenity space for apartments.
- revision of the layout to ensure there would be no loss of privacy or overlooking of adjacent plots
- submission of sections to assess the impact of the development on the adjacent Bilston Urban Village
- revise the layout to ensure all parking is secure and overlooked
- revision of the layout to amend the POS which has been unacceptably reduced.
- The Design and Access Statement is revised to reflect the changes in the application

Transportation

- The north section of the turning head is below standard and should be amended
- The cul-de-sac serving plots 15-31 and road serving plots 107 – 135 is below standard and should be amended.
- Clarification in respect of cycle parking and bin storage is required

Landscaping

- The application should be revised to increase tree planting and hedgerows
- Submission of full planting plans
- Boundary treatment details submitted require further consideration and amendment

4. Conclusion

- 4.1 The outline planning permission granted on 16th January 2008 established the principle of residential development on the site. However satisfactory plans have not been submitted under the reserved matters application which addresses the outstanding issues.

5. Recommendation

- 5.1 If satisfactory amended plans are received by 3rd March Committee Meeting: Grant permission subject to conditions to include: -
- Submission of details for crossing the Greenway between areas A and B
 - Traffic Calming along Greenway Road and at the junction with Hatton Street
 - Landscaping and boundary treatments scheme
 - Details of cycle storage
 - Design and Operation of remote control gates to communal parking areas
 - Levels details including sections
 - Details of bin storage

or

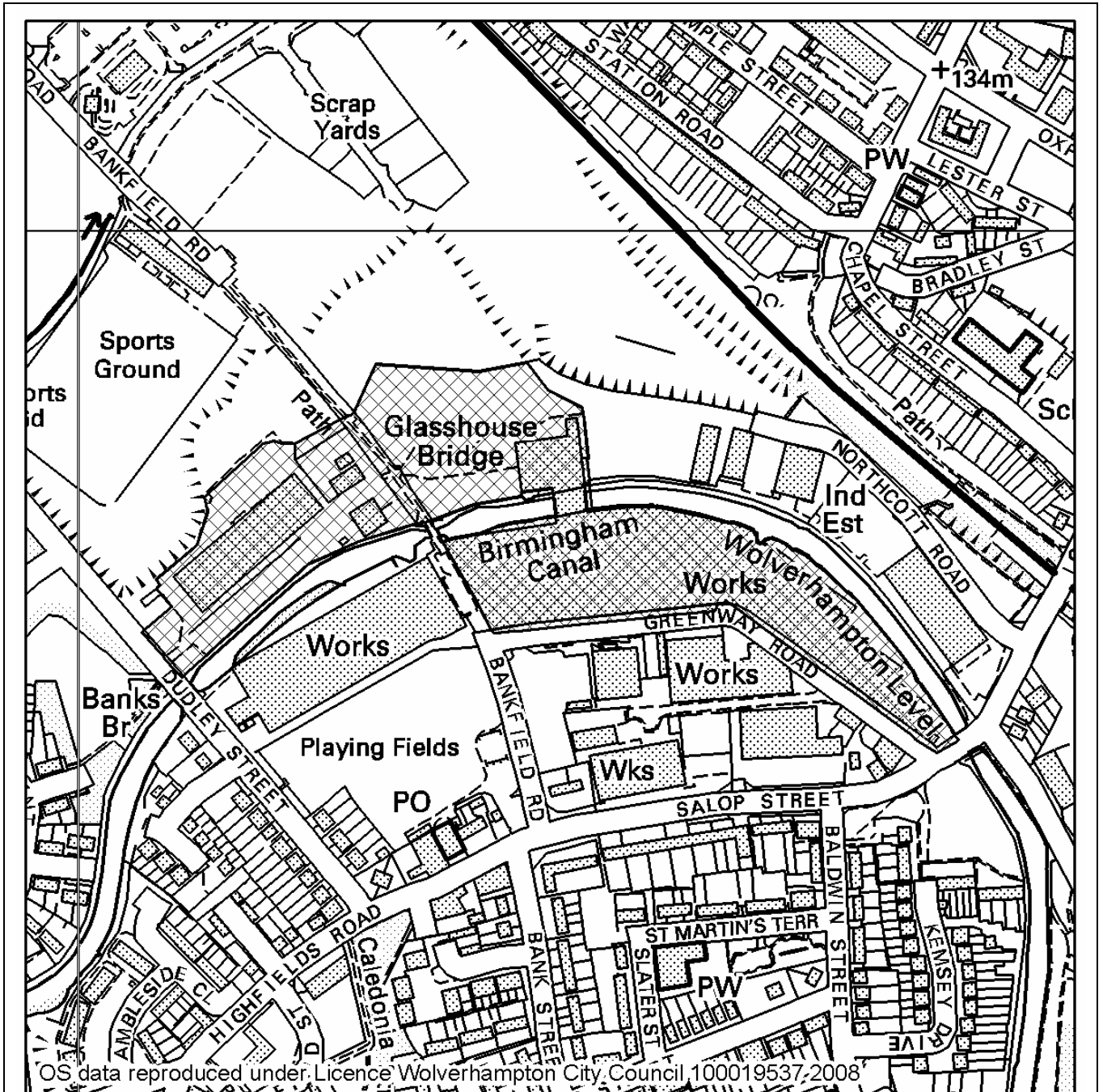
5.2 If satisfactory amended plans have not been received by 3rd March Committee meeting: Refuse for the following reasons: -

1. Insufficient detail has been submitted (house types, floor layout for apartments, street elevations, levels and location of bin stores and cycle parking) to satisfactorily demonstrate that the proposed development would create a townscape or landscape character of quality. This would be unacceptable and contrary to UDP Policies D1, D6, D9 and H6.
2. The proposed layout would result in unacceptable garden sizes for plots 11, 67, 148, 149, 130, 131 which would result in poor outlook, overlooking and loss of privacy. This would be contrary to UDP Policies D1, D4, D8 and H6 and Supplementary Planning Guidance 3 – Residential Development
3. The layout would provide a poorly defined public and private space and insufficient private amenity space for apartments 150- 164 which would be contrary to UDP Policies D1, D5, D6 and SPG3 – Residential Development.
4. The area of Public Open Space which defines the Greenway linking the development to the Bilston Urban Village adjacent to plots 87 and 91 is unacceptably narrow and would result in an area of land without clear definition. This would be contrary to UDP Policies D1, D5, D6 and R7
5. The security of the development would be undermined where the external access provided serves multiple properties or where no security measures are provided to rear parking courts for plots 115-129 and 136-148. This would be contrary to UDP Policies D1, D10 and H6.
6. The layout of plots 81-102 would result in an unsatisfactory parking layout which would not be secured or overlooked by residential properties. This would be contrary to UDP Policies D1, D10 and H6.
7. The proposed road layout including the north section of the turning head, and road serving plots 107 to 135 and cul-de-sac serving plots 15-31 would be of an inadequate size to allow sufficient turning of vehicles which would result in a detriment to highway safety. This would be contrary to UDP Policies D1, AM12 and H6.
8. The landscaping scheme would result in insufficient tree planting and hedges which would be contrary to UDP Policies D1, D6 and H6.

Case Officer : Jenny Davies

Telephone No : 01902 555608

Head of Development Control – Stephen Alexander



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Planning Application No: 08/00424/REM

Location	Bankfield Works, Greenway Road, Bilston, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 395366 295764
Plan Printed	18.02.2009	Application Site Area	51216m ²

Planning Application 08/00424/REM – Bankfield Works, Greenway Road, Bilston, Wolverhampton: Approval of Reserved Matters relating to previously approved outline Planning Application 07/00458/OUT: Mixed Use Development comprising Residential Development, erection of Light Industrial Units and associated infrastructure, Landscaping, Parking, Creation of Public Open Space and retention of existing Car Park

The Section Leader reported that amendments had been received and tabled an amended recommendation (Appendix 28).

Whilst fully in favour of the scheme, Councillor Reynolds made reference to points outlined in paragraphs 8.5 and 8.6 of the report, and suggested that officers report back to Committee once outstanding issues have been resolved, for information.

22 JULY 2008

In response to a comment from Councillor Sweet, in reference to the lack of detail regarding disabled parking, outlined in paragraph 9.1.1, the Section Leader indicated that it was not unusual and could be remedied.

On a general point, the Chair suggested that where possible consideration should be given to the provision of more traditional 2 storey housing. In responding, the Section Leader confirmed that this scheme provided a mixture of both 2 and 3 storey dwellings.

74

Resolved:-

(a) That the Director for Sustainable Communities be authorised to grant planning application 08/00424/REM subject to the points and conditions outlined in paragraph 11.1 of the revised recommendation, tabled at the meeting.

(b) That Officers report back to Committee once the outstanding issues have been resolved, for information.

PAGE 64. Amended recommendation: 08/00424

11 Recommendation

11.1 Delegated Authority to approve subject to:

- satisfactory amended layout,
- submission of elevational details and boundary treatments.
- *satisfactory private amenity poles.*

Any necessary conditions to include:

- Submission of details for crossing the Greenway between area A and B
 - Traffic calming along Greenway Road and at the junction with Hatton Street.
 - Landscaping and boundary treatments scheme
 - Details of cycle storage
 - Design and operation of remote control gates to communal parking areas
 - Levels details including sections
 - Details of bin storage
-

Appendix 3

PLANNING COMMITTEE - 22-Jul-08

APP NO: 08/00424/REM **WARD:** Bilston East
DATE: 31-Mar-08 **TARGET DATE:** 30-Jun-08
RECEIVED: 26.03.2008
APP TYPE: Approval of Reserved Matters

SITE: Bankfield Works, Greenway Road, Bilston, Wolverhampton

PROPOSAL: Approval of reserved matters relating to previously approved outline planning application no. 07/00458/OUT: - Mixed use development comprising residential development, erection of light industrial units and associated infrastructure, landscaping, parking, creation of public open space and retention of existing car park.

APPLICANT:
GC Bilston Ltd
Norwich House
45 Popar Road
Solihull
West Midlands
B91 3AW

AGENT:

COMMITTEE REPORT:

1 Site Description

- 1.1 The application site covers an area of 5.77 hectares and is located approx 700m south of Bilston Town Centre. The site comprises three areas of land which straddle the Bradley Arm of the Birmingham Canal which historically were used as ironworks. Area A and B are linked (one area) and accessed from Dudley Street from the west and was known as the Ashtenne Site a group of industrial units/workshops now demolished. The site extends east into Area B where the boundary adjoins Stitchacre, a waste transfer station and concrete crushing plant. This site was formerly the Cogent Works and prior to that was known as Sankey Laminations part of the GKN/Sankey group.
- 1.2 To the north, the site directly adjoins the Bilston Urban Village. To the south of the site within 200m is Bradley, a predominantly residential suburb. Surrounding the site to the south are established industrial premises. To the west, and south of the canal is N and W Global Vending Systems and Greenway Road Playing Fields. To the east on the north side of the canal and directly adjoining the site is McAuliffes Waste Transfer Site, Loxdale Park Industrial Estate and Latiffs Cash and Carry retail warehouse, all accessed from Northcott Road.
- 1.3 South of the canal is Area C which has been cleared of derelict industrial buildings.
- 1.4 Across the site in a north-south direction bisecting Areas A and B and adjacent to Area C, is an established pedestrian link between Bradley and Bilston which crosses the canal at Glassworks Bridge, located in the centre of the application site. Although much of this link is overgrown and poorly surfaced, it is relatively well used by people, particularly for the direct connection to Bilston Town Centre and Morrisons supermarket off Bankfield Road.
- 1.5 The site itself is relatively flat. On the southern side of the canal there is some change in levels between the Bankfield Road and the canal. Between the site and Bilston to

the north are some areas of steeper localised slopes which are a legacy of the old iron workings and coal mines. This results in the site being on a plateau overlooking the Bilston Urban Village regeneration scheme to the north.

2 Application details

- 2.1 The application was received on 31st March 2008 and seeks approval for all the reserved matters submission relating to the grant of outline planning permission except for access which was determined as part of the outline application. The reserved matters submission (drawing no 000175 08 Rev B) shows 228 new homes at 45.3 dwellings per hectare providing 90 apartments (39.5%) and 138 houses (60.5%).
- 2.2 The development would provide a traffic signalled junction at Dudley Street providing a new access into the site from the west; access to the development south of the canal would be from Salop Street and Greenway Road; environmental improvements including landscaping and ecological enhancements alongside the canal corridor and enhancement of existing footpaths and creation of new footpaths and cycleways.
- 2.3 The development would provide an area of 0.75ha public open space and 0.11ha acoustic bund located to the east of Area B adjacent to Stitchacre.
- 2.4 The three storey apartment buildings would be constructed of brick with part render and pitched roofs. The houses would be constructed of brick with pitch roofs.
- 2.5 The gardens sizes generally would be in accordance with the requirements of SPG3 – Residential Development. The private/shared amenity space for the apartments is generally below the requirement in SPG3.

3 Planning History

- 3.1 Outline planning permission was granted with conditions on 16th January 2008 for the development of the site for mixed use development comprising residential development, erection of light industrial units and associated infrastructure, landscaping, parking, creation of public open space and retention of existing car park (reference 07/00458/OUT). This was an outline permission with access approved.
- 3.2 A section 106 Agreement was negotiated with the outline planning approval 07/00458/OUT and included the following Heads of Terms: -
 - Public Art
 - Off-Site Open Space/Play Contributions
 - Affordable Housing
 - Highway Improvement Contributions
 - Community Provision
 - Provision of Public Open Space
 - Provision of a Management Company
 - Canal Improvements Contribution
 - Acoustic Bund and Fence

4 Constraints

- 4.1 Authorised Processes within a 250m radius at Stitchacre Ltd, Northcott Road, and C.M.C, Buxton Trading Estate, Greenway Road.
- 4.2 Coal Mining and Mine Shafts

4.3 Landfill Gas Zone

4.4 Sites and Monuments – Historical

5 **Relevant policies**

5.1 Relevant national policies and guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

5.2 Relevant UDP Policies as follows: -

AM1 Access, Motability and New Development

AM9 Provision for Pedestrians

AM10 Provision for Cyclists

AM12 Parking and Servicing Provision

D1 Design Quality

D2 Urban Structure

D4 Urban Grain

D5 Public Realm Public Open Private Space

D6 Townscape and Landscape

D7 Scale - Height

D8 Scale - Massing

D9 Appearance

EP1 Pollution Control

EP9 Sustainable Drainage Arrangements for Development

EP11 Development on Contaminated Unstable Land

H1 Housing

H6 Design of Housing Development

H9 Housing Density and mix

N1 Promotion of Nature Conservation

N9 Protection of Wildlife Species

R7 Open Space Requirements for New Develop.

H10 Affordable Housing

5.3 SPG3 Residential Development

6 **Publicity**

6.1 The application was advertised by press and site notices and neighbour letters. No letters of objection have been received.

7 **Internal consultees**

7.1 **Transportation Development** - Site access points and junction layout for the two junctions onto Dudley Street and Bankfield Road were agreed as part of the previous outline planning application; however, the application cannot be supported for the following reasons: -

- The Dudley Street access crosses a cycle/footway with pedestrian priority agreed under outline consent. Detailed drawing to be agreed as a condition
- The accesses off Greenway Road include private drive accesses in addition to 4 access roads to serve parking courts. The layout should be amended at the point of greatest conflict to reduce the number of individual accesses and traffic calming measures would also seek to improve this arrangement.

- The low parking provision would encourage on-street parking and dimensions of car parking spaces and garages should meet City Council standards;
- The poor relationship of parking spaces to dwellings would make vehicles vulnerable to crime;
- Clarification is required over private and public space
- Disabled parking is required.
- Cycle parking and storage should be provided for the apartments;
- Bin storage and collection for apartments is relatively remote from the highway.

7.2 Trees – no objections

7.3 Landscape :

- Full planting details required at 1:200 scale.
- Insufficient number of trees and additional hedges are needed.
- More imaginative boundary treatments required including where indicated high quality well designed steel railings, strong weldmesh constructed fences, and timber knee rail should be of a sturdy construction. Further clarification is required for sections of curved sections of wall and stone copings.
- Materials for hard landscaping areas to be confirmed.
- Bitmac roadway specifications would be inadequate, the construction shown is only for pedestrian use.
- Details of public art awaited.

7.4 Building Control :

- Ground Investigation/mining considerations submitted with outline application.
- Length of cul-de-sac should be discussed with fire service.
- Access for fire brigade required within 45m of the whole floor area of the dwelling by a fire service pump appliance.
- Bin stores should be within 30m of each dwelling (excluding vertical travel distance).

7.5 Parks & Contracts –

- POS provision should be in accordance with quota agreed in the Section 106 Agreement which was part of the outline approval 07/00458/OUT
- proposed layout would result in many small areas of space and clarification of public/private space is required;
- unacceptable intrusion of parking spaces into areas of public open space;
- Section detail required for links to towpath and clarification if British Waterways will adopt the steps.
- All houses should overlook parking and roadways
- Cross-section required of Greenway link

7.6 Environmental Services -

- Bin storage for apartments should be considered;
- A site investigation report was submitted with the outline planning application and issues relating to potential land contamination are still to be resolved. A condition should be included on any subsequent permission that prior to the commencement of development a methodology for carrying out site investigation for physical and chemical contamination and landfill gas should be submitted and implemented with a timetable for carrying out the works and validation report once all necessary works are completed; (NB - this condition is on outline permission)
- The issue of road traffic noise can be dealt with by a glazing and ventilation scheme however, further information may be required to ensure satisfactory insulation can be provided against a standardised road traffic noise spectrum.

7.7 Comments awaited from the following consultees: -

- Planning Policy
- Archaeology
- Housing and Health
- Conservation
- Children & Young People
- Bilston Regeneration
- Economic Development

8 **External consultees**

- 8.1 Centro – No objections in principle provided a residential travel plan is submitted and the proposal provides secure cycle parking.
- 8.2 Police - There are several areas across the development where parking areas are not overlooked; Secured by Design directs that flats with communal entrance doors serving four or more flats should incorporate an access control system with an electronic lock release and entry phone linked to the apartments; clarity is required to show which parking spaces relate to which block of flats or houses; alleyways should be gated at a point closest to the front building line to eliminate hiding places and deter intruders; communal alleys are not an acceptable form of layout as they give intruders easy access and cause a fear of crime for the residents.
- 8.3 British Waterways – Substantial planting and boundary treatment is required on the southern part of the site adjacent to the canal and financial contributions are required for canal improvements.
- 8.4 Severn Trent Water – No objection subject to conditions that drainage details incorporating sustainable drainage principles are submitted and no buildings or trees shall be planted within proximity of public sewers where they cross the site.
- 8.5 Environment Agency – No objections subject to the following points: -
- The development would not take account of Sustainable Drainage System techniques (SuDS) and the Flood Risk Assessment submitted with the outline application does not preclude the use of SuDS to further reduce discharges and increase the sustainability of the site.
 - An exclusion zone should be maintained along the canal during the period of construction to protect water voles and a canal enhancement programme must be agreed with Natural England and British Waterways and the developer to optimise the habitat for water voles;
 - All tree planting should be of native species
- 8.6 Natural England – legally protected species are unlikely to be adversely affected by the proposal subject to the implementation of the mitigation outlined in the strategies for amphibians, reptiles and water voles, specifically securing the suitable receptor sites for amphibians or reptiles.
- 8.7 National Grid – The risk is negligible
- 8.8 Advantage West Midlands – the proposal is welcomed in principle. The proposed green route that links the development to the Bilston Urban Village site to the north should not be compromised in safety terms by the cul-de-sac route shown crossing on the submitted plan. Careful design, use of materials and traffic calming should ensure the point of conflict between pedestrians, cyclists and car users is as safe as possible. A speed limit of 5mph is suggested for the crossing achieved by raising the road surface to form a plateau across the entire width of the crossing.

- 8.9 Comments awaited from the following consultees: -
- Fire Service
 - Dudley MBC
 - Walsall MBC
 - Wildlife Trust for Birmingham And The Black Country
 - Transco

9 Appraisal

- 9.1 The key issues to be considered are set out below: -
- Transportation issues
 - Layout
 - Scale and Appearance
 - Landscaping

Transportation Issues

- 9.2 There are outstanding issues in relation to the layout, parking and access across the north of the site between area A and B which will need to be resolved before approval could be given.

- 9.3 The principle of the points of access for the southern area of the site was approved under outline planning consent 07/00458/FUL. Three access roads were negotiated and a secondary access road to serve a small number of properties off Greenway Road. The submitted layout would accord with the agreed location of the access points however; the detailed layout includes various private driveways to serve individual properties along Greenway Road which has raised concern from highways particularly at the point closest to Hatton Street where industrial uses are still in operation and there would be potential conflict between car users and HGVs entering and leaving Hatton Street. The layout should be amended to reduce the potential conflict between vehicles accessing new dwellings and HGVs and other service vehicles using Hatton Street. A Grampian condition which requires the submission and implementation of traffic calming measures at the junction with Hatton Street would ensure satisfactory safety measures.

- 9.4 The design of the junction on the north of the site where the roadway crosses the 'greenway' was agreed under outline approval 07/00458/FUL. The junction agreed to give priority to pedestrians and cyclists and the submission of junction details will be required by condition.

Layout

- 9.5 The general approach to the layout is acceptable subject to comments from Transportation and the points below.

- 9.6 A mix of perimeter blocks and traditional street forms of development has been used across the site.

- 9.7 Apartment blocks in the north of the site (units 59-82) adjacent to the canal and on the south side of the site (units 176-196 and 217-228) would front onto the canal on one side and the canal on the other. This is not the ideal layout solution. However the depth of the site at these points is very narrow. With appropriate boundary treatment to clarify public and private space, amenity space and landscaping these blocks could be satisfactorily secured. Satisfactory amended plans are awaited.

- 9.8 The submitted layout is unacceptable for the following reasons: -
- The three apartment blocks 1-33 at the entrance to the site would fail to create a sense of enclosure with unacceptable front to back arrangement which would be unacceptable;

- Units 59-82 have been realigned parallel to the canal frontage however the frontage onto the Greenway would not create the strong sense of enclosure which is the primary objective for links from the site to the Urban Village;
- The position of dwellings 160 -165 in between the backs of two blocks would undermine the layout and security of the perimeter block as a whole; corner blocks 141, 142, 158 and 159 would have an angled corner which would not relate well to the street

9.9 The proposal should ensure that car parking spaces are designed to be overlooked and located conveniently to new apartment blocks and dwelling houses. The latest revision has improved the relationship of the apartments to the areas of parking and has resulted in an improved outlook providing surveillance of parked vehicles by turning buildings onto these areas and introducing dual aspect units.

9.10 Proposed bin storage for apartments appears to be remote and amendments have been requested.

9.11 The proposal does not include disabled parking. This has been requested.

9.12 The proposal should include secure and covered cycle parking for all apartment blocks. This has been requested.

9.13 The submitted layout plan does not clearly identify private communal amenity space for flats. Amended plans have been requested.

9.14 Parking is either contained within individual plots or parking courts. Inappropriate number of parking spaces should be provided to ensure there would be no on-street parking.

Scale and Appearance

9.15 The apartment buildings would be three storeys in height and the houses would be between 2 and 2.5 storeys in height. The submitted elevations for the apartments are generally bland and unimaginative and architecturally mediocre. The proposed scale of development with three storey apartments fronting the canal and two storey houses elsewhere within the development is acceptable in principle. However, UDP Policy D1, D3 and D9 states that a high standard of design should be demonstrated to create a strong sense of place. Revised elevation details have been requested.

Landscaping

9.16 The submitted landscape details relate to a previous drawing and therefore revised landscape details have been requested to relate to any amended scheme

10 Conclusion

10.1 The outline consent establishes the principle of residential development on the site. Approval is sought for the reserved matters 'layout', 'scale', 'appearance', and 'landscaping'.

10.2 The layout should be amended to reduce the points of access onto Greenway Road and consequently points of conflict between car users accessing new dwellings and HGVs accessing Hatton Street.

10.3 The junction arrangement between Areas A and B on the north side of the site may need to be reconsidered to ensure the safest option is achieved.

10.4 Layout – Further amendment is required as set out in para. 9.13.

- 10.5 Scale – The scale of the development is appropriate
- 10.6 Appearance - Revised elevation details are required to ensure a high quality development is created which will contribute towards a strong sense of place.
- 10.7 Landscaping - Further landscaping details required to accord with any amended layout

11 Recommendation

11.1 Delegated Authority to approve subject to:

- satisfactory amended layout to include reduction of private driveways onto Greenway Road within proximity of Hatton Street.
- Submission of elevational details, landscaping details and boundary treatments

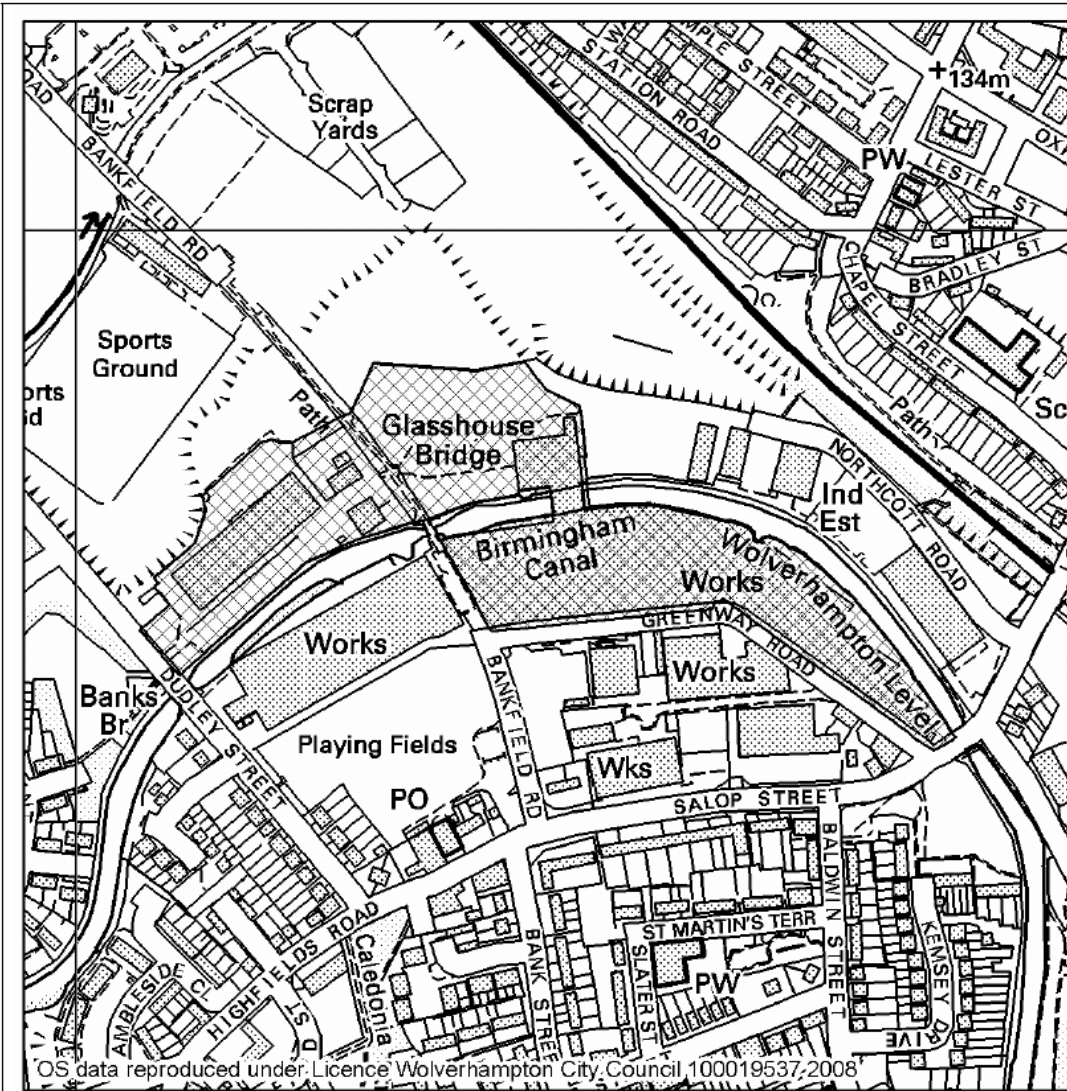
standard conditions to include: -

- submission of details for crossing the Greenway between area A and B
- agreed arrangement for traffic calming along Greenway Road and at the junction with Hatton Street.
- Implementation of any agreed landscaping scheme
- Details of cycle storage
- Remote control gates to communal parking areas
- Levels details including sections
- Details of bin storage

Case Officer : Jenny Davies

Telephone No : 555608

Head of Development Control – Stephen Alexander



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Planning Application No: 08/00424/REM

Location	Bankfield Works, Greenway Road, Bilston, Wolverhampton		
Plan Scale (approx)	1:5000	National Grid Reference	SJ 395366 295764
Plan Printed	15.07.2008	Application Site Area	51216m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01382/FUL **WARD:** Blakenhall
DATE: 03-Nov-08 **TARGET DATE:** 02-Feb-09
RECEIVED: 31.10.2008
APP TYPE: Full Application

SITE: Former Metal Castings Ltd and , Land At The Rear Of Units 1-12 Hollies Industrial Estate, Graiseley Hill, Wolverhampton

PROPOSAL: Redevelopment of site to provide apartments, hotel and mixed retail/leisure/business/medical uses, together with associated parking, servicing, infrastructure works and landscaping.

APPLICANT:
Parkridge Securities (Penn Road) Ltd
C/O Agent

AGENT:
Mrs J Warwick
Holmes Antill
Home Farm Barn
Loughborough Road
Prestwold
Loughborough
Leicester
LE12 5SZ

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is located approximately 300m south of the Penn Road Island on the south side of the City Centre, on the eastern side of the Penn Road (A449). The development site is split into two parcels of land either side of Graiseley Hill. The parcel to the north is the smaller of the two, at approximately 0.7 hectares, whilst the site to the south is approximately 1.1 hectares. Both sites are accessed from Graiseley Hill and were previously occupied by Metal Castings Ltd which closed a couple of years ago. The buildings were demolished early in 2008.
- 1.2 The surrounding area is split into a number of different character areas. Opposite the site, on the western side of the Penn Road, the area is predominantly characterised by 4 storey residential apartments. To the north of the site, on the eastern side of the Penn Road, the area is predominantly in commercial industrial uses. Along the eastern boundary of the site is Waitrose supermarket. Graiseley Primary School is also in close proximity along Graiseley Hill.
- 1.3 The topography of the area is such that the land 'rises' as you move away from the city centre, towards the junction of Penn Road and Marston Road. The application site is also significantly higher (up to 2m) than the adjacent Penn Road.
- 1.4 The Penn Road is an extremely busy route within the city. Along the stretch adjacent to the application site it is dual carriageway. Vehicular access onto Graiseley Hill can be gained from the eastern carriageways, but Graiseley Hill does not allow direct access back onto the Penn Road. A surface level pedestrian crossing is located on the Penn Road towards the southern extremity of the site, whilst a subway under the Penn Road is situated at the northern end. Bus stops are located close to the site.

2. Application details

- 2.1 The applicant seeks permission for a mixed-use development, to accommodate 272 apartments, a hotel with 120 bedrooms and 1,549 sqm of mixed retail, leisure, B1 offices and medical floorspace. The total floorspace of the proposed development is 32,361 sqm, which would be served by 372 parking spaces. The proposed housing density is approximately 160 dwellings per hectare.
- 2.2 On the northern side of Graiseley Hill, two residential blocks, A & B, are proposed. The blocks follow the street frontages and are split in the middle by a vehicular access off Graiseley Hill, which serves the car parking and amenity area at the rear. Building heights vary from two to seven storeys, with heights increasing towards Penn Road.
- 2.3 On the south side of Graiseley Hill, block C provides further residential accommodation. Again, the proposed building would wrap around the Penn Road and Graiseley Hill frontages with a return section along the eastern end of the block. Once more, the proposed height is between two and seven storeys, increasing towards the Penn Road.
- 2.4 Further south, block D provides a six/seven storey hotel to the Penn Road frontage. A rear wing would have retail units (650m²) at the ground floor and an additional three/four storeys of residential apartments above.
- 2.5 A further three storey unit is provided (block E) to the Penn Road frontage, adjacent to the southern boundary of the site. The application seeks the flexible use of this building for a mix of retail office and medical uses. However, the Planning Statement does specify that the ground floor is likely to accommodate retail uses with other uses above.
- 2.6 Parking is located adjacent to the south-east boundary, within the courtyard area created at the rear of blocks C&D and between blocks D&E. Basement parking is proposed underneath blocks B & C.
- 2.7 The applicants also proposed to in-fill the existing subway, alter the Graiseley Road/Penn Road junction in order to allow traffic to exit Graiseley Hill onto the A449 and move the bus stop, on the eastern side of the A499, slightly further to the south.
- 2.8 The application is also accompanied by a 'Planning Obligations & Economic Viability Statement'. Within that document they conclude that in order to make the project viable, it would be necessary for them to 'cap' contributions which would be required for a scheme of this nature. Therefore they offer:
- £100,000 towards the creation of public art
 - £25,000 towards a fund for training and employment of local people
 - £400,000 for highway improvement works.
 - £175,000 for improvement works at Pool Road recreation ground
 - No provision of affordable housing.
- 2.9 The applicants consider that the proposal has been carefully developed following consideration of site specific consultation and extensive consultation. They also believe the proposal represents a significant opportunity to contribute towards the regeneration of the area.

3. Constraints

3.1 Authorised Processes

4. Relevant policies

4.1 National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS6 Planning for Town Centres (inc. draft)
PPG13 Transport
PPG17 Planning for Open Space, Sport and Recreation
PPS22 Renewable energy
Better Places to Live
Manual for Streets
Urban Design Compendium
Car Parking: What Works Where
CABE/English Heritage – Guidance on Tall Buildings

4.2 Regional Policies

CC1 Climate Change
UR3 Enhancing the role of the City, Town and District Centres
CF1 Housing within the Major Urban Areas
CF3 Levels and distribution of housing development
CF4 The reuse of land and buildings for housing
CF5 Delivering affordable housing and mixed communities
QE1 Conserving and Enhancing the Environment
QE2 Restoring degraded areas managing and creating high quality new environments
QE3 Creating a high quality built environment for all
QE4 Greenery, Urban Greenscape and public spaces
EN1 Energy generation
T2 Reducing the need to travel
T3 Walking and cycling
T7 Car parking standards and management

4.3 Wolverhampton Unitary Development Plan Policies

S1 Strategic Regeneration Areas
S3 Local Area and Neighbourhood Renewal
S4 Mixed Use Development
IMR2 Planning Obligations
D1 Design Quality
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

EP1 Pollution Control
 EP3 Air Pollution
 EP4 Light Pollution
 EP5 Noise Pollution
 EP8 Water Supply Arrangements for Development
 EP9 Sustainable Drainage Arrangements for Development
 EP11 Development on Contaminated Unstable Land
 EP12 Reclamation of Derelict Land
 EP13 Waste and Development
 EP16 Energy Conservation
 EP17 Renewable Energy
 N2 Access to Natural Green Space
 N9 Protection of Wildlife Species
 B1 Economic Prosperity
 B14 ABCD - Warehouse Quarter
 SH1 Centres Strategy
 SH2 Centres Uses
 SH3 Need and the Sequential Approach
 SH9 Local Shops and Centre Uses
 C2 Location of new community services development
 R1 Local Standards for Open Space, Sport
 R2 Open Space, Sport and Rec. Priority Areas
 R7 Open Space Requirements for New Development
 H1 Housing
 H3 Housing Site Assessment Criteria
 H6 Design of Housing Development
 H8 Open Space, Sport and Rec. Req. new Development
 H9 Housing Density and mix
 H10 Affordable Housing
 AM1 Access, Mobility and New Development
 AM6 Transport Assessments
 AM7 Travel Plans
 AM8 Public Transport
 AM9 Provision for Pedestrians
 AM10 Provision for Cyclists
 AM12 Parking and Servicing Provision
 AM15 Road Safety and Personal Security

4.3 Wolverhampton's Supplementary Planning Guidance

SPG3 Residential Development
 SPG16 Provision of Public Art
 SPD Affordable housing

5. **Publicity**

- 5.1 The application was advertised via press & site notice. Letters were also sent to neighbouring occupiers.
- 5.2 An objection was received from the Headteacher of the nearby Graiseley Primary School on behalf of the Governors. Although they consider that the development would enhance the area they are disappointed that more family housing has not been included. They also express concern that the development would hide the school from view and request a directional sign.
- 5.3 A letter of support has also been received from the occupier of one the industrial units to the north of the site.

6. Internal consultees

- 6.1 **Parks & Contracts (Leisure)** - The proposed development provides no new on-site public open space but is designed to accommodate a further 422 new residents within this area and hence will make the overall provision of open space in this area worse in quantity terms. Using UDP standards for new provision alone, the scheme would result in an additional 1.1ha of open space deficiency in this area.
- 6.2 **Urban Design** - Much of the Penn Road elevation of Block B is blank frontage. The blank wall at the northern end of the block measures 3.6m between pavement level and sill. This would create an unsatisfactory street frontage, lacking in visual interest. The absence of any pedestrian entrances to Block B from the Penn Road frontage would further compound the problem. Entrances offer the opportunity to create activity on the street.
- 6.3 The Penn Road elevation of Block C comprises blank frontage and views of parked cars at street level. The building turns the corner into Graiseley Hill, which is a particularly prominent location. At this point the submitted proposal comprises a blank wall, which measures 4.2m from pavement to balcony floor level. The blank frontage treatment continues along the Graiseley Hill elevation. Again there are no entrances on the Penn Road frontage. Block C, as submitted, would create a poor visual experience at pedestrian level.
- 6.4 The Penn Road elevation of Block D is set back behind a brick wall at street level. Again this would create a poor quality street scene.
- 6.5 The scheme has little regard for the experience of the pedestrian along the Penn Road and Graiseley Hill frontages. This is a large development which lacks a human scale at street level, disregarding the pedestrian experience. The blocks should be stepped to take account of the topography.
- 6.6 The stepped passageway between Blocks C & D from Penn Road is a potential security issue. There is no passive surveillance or controlled access to deter possible anti-social behaviour or unauthorised access to the rear of Block C. Pedestrian access for the apartments should be properly addressed through the introduction of entrances from Penn Road, which will create activity on the street front.
- 6.7 **Landscape** - Do not object in principle, but they would require more detailed information to be provided if permission was granted.
- 6.8 **Environmental Services** - The principal considerations are air quality and traffic noise due to vehicles using Penn Road and fan noise from an industrial unit in Graiseley Row.
- 6.9 The noise levels affecting the elevations exposed to road traffic on the Penn Road fall are such that permission should normally be refused for residential use. Therefore, if permission were to be granted, a comprehensive noise insulation package which should include thermal double-glazing and acoustically attenuated ventilation would be required.
- 6.10 In addition, details of the ventilation system and refuse storage areas, for the commercial premises should also be approved prior to construction.
- 6.11 Discussions are ongoing regarding the remediation of the site. It is therefore requested that if permission is granted, a scheme for carrying out a site investigation shall be approved prior to construction. The remediation of the site shall then be completed in accordance with the approved scheme.

- 6.12 **Access Team** - No objection in principle.
- 6.13 **Ecology** - With regard to the submitted Extended Phase 1 Habitat Survey, a further survey or update should be commissioned, April-September prior to development.
- 6.14 **ABCD** - The application site is to the western boundary of the ABCD area and is vital for the future regeneration in this part of Wolverhampton. There is no provision for family housing within the design. In the last 3 years in the ABCD area there has been applications for a total of 404 apartments as opposed to 158 houses. This could affect the long term sustainability of the ABCD area.
- 6.15 The entrance to the site is open and inviting and is permeable to vehicles, cyclists and pedestrians. Care should be taken to distinguish between public and private realms.
- 6.16 Also highlights concerns regarding local flooding, lack of green space and increased traffic movement.
- 6.17 **Transportation** – The site is not considered to have high levels of accessibility to local public transport. There is concern also concern that too few spaces are provided and that those spaces would be poorly related to the uses they serve. It is also considered that the proposed access and visibility arrangements would be detrimental to highway safety.
- 6.18 In addition, it is considered that the information provided in the Transportation Assessment is minimal and fails to address to the substantial highway issues which would be generated by a scheme of this scale and nature.

7. **External consultees**

- 7.1 **Severn Trent Water** - No objection in principle, subject to the submission of drainage details including sustainable drainage principles and a hydrological and hydrogeological assessment of the site. They also confirm that a public sewer crosses the site. No buildings shall be erected, or trees planted, within 5.0 metres either side of this sewer.
- 7.2 **Environment Agency** - No objection in principle to the proposed development. They consider that the submitted flood risk assessment has addressed the relevant issues highlighted in PPS25. However, there is more work to be done regarding runoff particularly. This can be required through the submission of more detailed plans. They are encouraged by the proposed use of green and brown roofs, but would still advocate the use of swales in some of the landscaped areas. They therefore request a condition, requiring the submission and approval of a surface water drainage scheme, based on sustainable drainage principles, prior to construction.
- 7.3 Overall, they also agree with the conclusions regarding groundwater and contaminated land. However, they would again like conditions to be attached to any grant of permission. These would require the submission of a scheme to deal with the risks associated with contamination of the site and a verification report demonstrating the completion of such works.
- 7.4 **Police** -The police are seeking a contribution of £195.68 per household equating to a total sum of £53,224.73 in order to order to help meet the draw on existing police resources which they consider will arise from this development.

8. Appraisal

8.1 Main issues are:

- Site Allocation in the UDP
- Hotel
- Retail
- Housing & Mixed Communities
- Design
- Sustainability
- Access to amenity/open space
- Transportation

Site Allocation in UDP

8.2 The site falls within Policy B14(i) of the UDP (June, 2006). As part of the Warehouse Quarter of the All Saints and Blakenhall Development Area (ABCD), it is stated that the following uses will be permitted: "refurbishment and reuse of historic buildings and mixed use development with an emphasis on creative and technology light industrial activity, and live/work units as demand arises". The proposal for apartments, hotel and retail uses do not conform to the mix of uses envisaged in this policy.

8.3 Section 54A of the Town & Country Planning Act (1990) (as amended) states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The application should therefore be supported by robust arguments which would justify a major departure from the development plan.

8.4 If the Council were minded to grant permission the application would have to be referred to the Secretary of State as a major departure from the development plan.

Hotel

8.5 Hotels are highlighted in policy SH2, as a 'centre use'. The application site is in an 'out-of-centre' location, being more than 300m from the 'in-centre' boundary of the ring-road and (Policy SH4). Therefore, the proposal must satisfy the requirements of national policy - most notably PPS6, reflected in policy SH3 of the UDP - in particular need, sequential test, scale and impact.

8.6 An appraisal has been provided for the proposed 120-bed hotel. This appraisal does not follow the template of PPS6 or, Policy SH3 of the UDP. Based on the information provided, it is not considered that the applicants have adequately demonstrated that there is a quantitative, or qualitative, need for a hotel at this location.

8.7 The overview of the Wolverhampton Hotel Market contained in their appraisal suggests that the current standard of hotel supply is mediocre; however it is not felt that this assertion has been adequately substantiated. The trends presented suggest that current occupancy rates are declining: by 4.4% 2006-7 and 5.2% 2007-8. This was accompanied by a decrease in revenue per available room. These trends, have not been used to predict future potential demand beyond 2009 and do not lend weight to a justification of this proposal in terms of quantitative need.

8.8 Similarly, a qualitative need to uplift the, 'low quality of Wolverhampton's hotel supply' has not taken account of the emerging Interchange scheme, which includes the provision of a number of hotels. In addition, the 2007 permission for a mixed-use development, including a 75 bedroom Hotel with restaurant and small meeting facilities, at Little Brickkiln Street (only 400m to the north, within the Ring Road), the 130 bedroom business hotel approved as part of the i54, nor the application for a 60 bedroom hotel currently being determined at the Treetops site at Jn2 of the M54 have

been included in their report. In addition, the section of their report entitled, 'hotel development pipeline' confuses the Holiday Inn extension at Wolverhampton Racecourse as being separate from the Dunstall Park Centre development; they are in fact the same scheme.

- 8.9 As the site occupies an out-of-centre location, a sequential test for site selection - assessing potential in-centre and edge-of-centre sites for their suitability, availability and viability, which is required (PPS6, SH3) has not been carried out. Due to the close proximity of the application site to the city centre it is considered that the proposed hotel operates within the same market and catchment area as the city centre. Therefore, due to both the location & scale of the hotel (120 bedrooms) there is concern that the hotel would compete with, rather than complement, city centre provision, impacting negatively upon the health, vitality and viability of the city centre.
- 8.10 It has not been demonstrated that a hotel cannot be accommodated in a more sustainable, sequentially preferable location and that a hotel at this site would not undermine the vitality and viability of the city centre. It is not considered that the hotel element of this scheme is acceptable in planning policy terms, as there is a questionable, quantitative and qualitative need, over and above existing and pipeline provision.

Retail

- 8.11 Policy SH2 also identifies retail as a centre use. SH4 identifies the 'in-centre' boundary for retail development as the ring road. The application site is more than 300m outside their boundary and so is out-of-centre. In support of the application, a 'retail analysis' has also been provided in an attempt to justify the proposed retail, office, medical and leisure uses.
- 8.12 Although, the supporting information is welcome in helping to assess the acceptability of these elements, as with the hotel element, a full assessment addressing the policy tests of PPS6/SH3 (need, sequential test, scale and impact) has not been carried out. The local centres analysis which has been submitted should be supplementary to this. In addition, the analysis does not include Pennfields local centre nor the City Centre - which due to the site's close proximity, would both be within its catchment area.
- 8.13 There is concern that 1,000m² of retail is of scale that it would supply over and above any indigenous demand which is likely to be generated by the other elements of the scheme. Consequently, this could harm the vitality and viability of the City Centre and nearby local centres.
- 8.14 It is not felt that the retail element of this scheme is acceptable in planning policy terms as quantitative and qualitative need has not been addressed, it has not been demonstrated that these uses cannot be accommodated in more sustainable, sequentially preferable locations, and that the proposed retail element would not undermine the vitality and viability of nearby centres.

Housing & Mixed Communities

- 8.15 PPS3 sets the standards for achieving high quality housing. It provides insight into the key characteristics of mixed communities, emphasising the Government's commitment to providing high quality, affordable, housing and calls for effective re-use of previously developed land.
- 8.16 Although PPS3 stresses the need to achieve the effective and efficient use of land and makes no reference to maximum densities, policy H9 of the UDP remains consistent with PPS3 stating a range of preferred densities in different locations. UDP policy H9 states that densities in excess of 50 dwellings per hectare will be expected in the case

of housing development along good quality transport corridors. Densities in excess of 90 dwellings per hectare net, will only be permitted on sites within the City Centre. The proposed density of the scheme is approximately 160 dwellings per hectare.

- 8.17 During the consideration of the application. The proposal was presented to Midlands Architecture and the Designed Environment (MADE). They emphasised the point that the scheme should aspire to the, 'concept of neighbourhood and be more than stacked apartments on a free standing site'. A key tool of trying to create a community is the variety of accommodation which is provided.
- 8.18 Policy H9 requires the provision of a mix of dwelling types on large housing sites sufficient to create a balanced community within the site. In addition, the 'Joint Core Strategy Preferred Options Report' identifies the wider area as being suitable for 300 units of family housing. The proposal would provide a large concentration of one and two bedroom flats, contrary to both the adopted policy and emerging proposals for this area. It is questionable whether there is currently market demand for the dwellings proposed. There is real concern that the proposed scheme does not meet the needs and aspirations of the local community, that the proposal appears to be aimed at a small percentage of the wider population and that the scheme may struggle to adapt to future demographic trends.
- 8.19 In addition, UDP Policy H10 and the SPD on affordable housing, establish a strategic target for sites such as this of 25% affordable housing. For this site, it is considered that this would equate to 19 x 1 bed and 49 x 2 bed units, potentially at 100% social rent. The applicant's proposal not to provide any affordable housing is not considered acceptable.
- 8.20 In summary, it is considered that this very high density development of small flats would not create the sort of mixed community encouraged by PPS3 and the UDP.

Design

- 8.21 The results of a public inquiry into a major residential development within the City, reiterated guidance in national and local planning policies that, "it is important to ensure that major new developments, such as that proposed, positively enhance the character and appearance of this area and result in the "step-change" in design quality that is needed to enhance local distinctiveness".
- 8.22 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 and advocates mixed use vitality.
- 8.23 Similar requirements are contained in Planning Policy Statement No.1 – Delivering Sustainable Development, 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. High quality, inclusive and sustainable designs are the aims of UDP Policies D1-D14 with more detailed considerations of layout, siting, scale and design of buildings.

- 8.24 It is a fundamental requirement that in structuring the built form there is a clear distinction between the public and private realms. Whilst those blocks to the north of Graiseley Hill, are considered to satisfactory define the site, those to the south are far less acceptable. Although they achieve the aim of providing a strong built frontage to the A499, behind that, the spaces which are created are ambiguous and 'negative' (i.e. there is no clear distinction between public and private space as required by policy D5. It is considered the scheme would benefit from a greater rationalisation of these 'internal' spaces, using the buildings to enclose them.
- 8.25 Any new development, but particularly those of the scale contained in this application, should provide the impetus for regenerating the wider area. The emerging planning policy for the area envisages the creation of 300 family homes in the surrounding area. However, due to the proposed layout and creation of 'ambiguous' spaces, there is also concern regarding how the proposed layout would help facilitate the future redevelopment of the wider area.
- 8.26 Furthermore, despite a reduction in the amount of surface car parking from pre-application discussions, the majority of the spaces are poorly located to serve the units to which they relate and the amount of car parking is likely to be to the detriment of visual amenity. As stated in Better Places to Live, Manual for Streets and the Urban Design Compendium, those spaces should be designed, not as car parks but as places which having parking within them. Unfortunately, the proposed scheme does little to convince that this aim would be achieved.
- 8.27 It is accepted that the area lacks consistency of architectural character and distinctiveness. The majority of the buildings in the immediate vicinity are commercial and ordinary in their architectural content with little positive townscape features. Nevertheless, this scheme is an important route within the city. As such, the site provides an opportunity to enhance the relatively poor environment of this area. Indeed, PPS1 and PPS3 both state that designs which fail to, "take the opportunities available for improving the character and quality of the area and the way it functions, should not be accepted".
- 8.28 The contemporary approach to the architecture is accepted in principle. The buildings are linked by a consistent architectural theme, which is largely functional, and the majority of the proposed materials are considered appropriate in principle. Nevertheless, there is a serious concern that the development would be partly self-contained and would not positively engage with its surroundings. The ability to provide direct access onto the surrounding public streets is considered a fundamental component of achieving a good design. This matter has been raised throughout pre-application discussions and although the situation has improved slightly, is it still considered to be poor. The difficulties regarding the site levels are accepted. However, these problems could be overcome and the applicants suggestion of using public art and/or landscaping at street level would not alter the overall impression of an inactive frontage.
- 8.29 At present, the tallest buildings in the vicinity of the application site are those apartments, situated on the eastern side of the A499. They are mainly 4 storeys in height with 5 storey elements and set back from the road frontage. The buildings proposed in the application are 7/8 storeys, significantly taller than their surroundings. As such, they should accord with the guidance set out in the English Heritage/CABE document 'Guidance on Tall Buildings' and UDP Policy D7 'Height'.

- 8.30 The guidance contained in these documents does not suggest that this is a suitable site for tall buildings. The site is not in the city centre, or at a significant gateway where there would be legitimate reasoning to construct tall buildings. Whilst, it is recognised that the applicants are seeking to maximise the sites potential and that buildings of significant height are required to satisfactorily enclose and define the A449 dual carriageway, the proposed buildings are considered to be excessively high.
- 8.31 It is not only the height, but also the bulk, proximity to the street and outline of the proposal which makes the scheme appear overly large. In addition, the underlying topography, which rises in quite a dramatic fashion as you move away from the city centre, also affects the way in which height of the buildings will be perceived. The development would appear as an isolated group of tall buildings, unrelated to their surroundings, and not as part of a designed townscape.
- 8.32 Overall, it is not considered that the proposed scheme would achieve the urban design objectives of creating a place with identity, positive areas of public realm, or engagement with its surroundings, would be visually overbearing and would fail to provide sufficient residential mixing. The proposal therefore falls short of the level of quality which can be reasonably expected. From the drawbacks identified, the capacity of the site and its surroundings to absorb the extent of built development proposed is also questioned. The practical consequences of over intensive development render the project unacceptable against national and local policy which seeks to secure developments of high design quality.

Sustainability

- 8.33 PPS1 states that “sustainable development is the core principle underpinning planning”. Policy D13: Sustainable Development, requires that all proposals should respect the principals of sustainable development in terms of their use of resources and energy and Policy EP17: Renewable Energy states that favourable consideration will be given to developments that produce or use renewable energy, where such proposals conform with other Plan policies and are in scale and character with their surroundings.
- 8.34 Unfortunately, it is considered that an important scheme, such as that proposed could and should, be doing more to improve its environmental sustainability. The recently completed scheme at Cross Street South, an Eco-homes excellent project, has set the standard for projects not just within the ABCD area but across the city as a whole. MADE also believed that proposal should, “set a high standard in terms of sustainable design”. It is disappointing, that despite application being a ‘full’, important decisions particularly regarding energy production are yet to be concluded.
- 8.35 Throughout pre-application discussions the number of single aspect units was raised as a concern and although, this has since improved it is still not acceptable. Single aspect units will create problems of outlook, noise and air quality, particularly for those facing the A499. It will not be an acceptable solution that these matters should be solely treated by mechanical means. Furthermore, the lack of dual aspect units also raises questions of poor orientation for some units and has the potential to lead to an over reliance on artificial methods of lighting. For other units the orientation could create over heating during the summer and a lack of warmth during the winter. For all of these reasons single aspect units are not considered an acceptable form of accommodation and are contrary to the aims of sustainable development and good design.
- 8.36 Furthermore, an additional problem of the large areas of car parking illustrated on the proposed layout is its potential impact on drainage and the urban heat island. It is important that measures are taken to reduce the impact of these. Unfortunately, the application does not satisfactorily address these issues.

Access to amenity/open space

- 8.37 The UDP recognises that open spaces provide a valuable resource for local communities. Accordingly, local authorities are urged to identify priorities for addressing public open space deficiency. The application site lies on the border of the two residential areas of Blakenhall and Graiseley which both have major deficiencies in the quantity and quality of public open space (POS). It is noted that this development provides no new on site POS provision and under these circumstances any extra demand will put these existing open spaces in the area under even greater pressure.
- 8.38 In the 2008 Open Space Needs Assessment this site falls within the Central and South Analysis area which is the worst area in the City for the provision of public open space. This analysis area has an existing 43.95ha deficiency in public open space (equivalent to 8sq m deficiency of public open space per existing resident). The area has one of the smallest (2.3ha) neighbourhood parks within the City as well as deficiencies with regard to appropriate children's play facilities (to LEAP standard) amenity green space, allotments, natural areas and green corridors. If there is no improvement, it is considered that by 2021 the deficiency in this area will equate to 50ha, of course this will be even greater if new residential development does not provide appropriate on site green space to serve its new residents.
- 8.39 In an attempt to mitigate for this and in the absence of large functional areas of open space (as opposed to a cluster of small purely aesthetic sites) financial contribution would go some way to compensate for the lack of on-site open space. In accordance with policy H8, it is considered that there is a need for a contribution of £625,098 (subject to BCIS from 1st January 2009) which would be used for the creation and/or enhancement of public open space within the vicinity of the application site. However, the applicants are only prepared to offer a £175,000 open space contribution (28% of the total contribution required).
- 8.40 The proffered sum would not be sufficient to fund the amount of improvement necessary to public open space within this area to cater for the extra demand generated. This is a serious shortcoming of the proposed development. Future residents are entitled to expect some relief from the intensity of buildings and hard spaces which would surround their living environment. The lack of adequate open space would mean poor living conditions for local residents and pressure for more intensive use of a resource already in short supply.

Transportation

Site Access/Visibility

- 8.41 Whilst, the proposed "left in" and "left out" arrangement for the junction of Graiseley Hill and Penn Road has been agreed in principle; the applicants have not demonstrated that acceptable visibility splays, of 2.4m x 70m, are available for vehicles exiting Graiseley Hill onto Penn Road via the new junction arrangements.
- 8.42 In addition, the applicants have not demonstrated that appropriate visibility splays, in accordance with Manual for Streets, are achievable at all new accesses into and within the site including underground car park entrances and that vehicles can enter and exit Graiseley Hill and remain within the correct carriageway lanes. It would clearly be detrimental to highway safety if this were not achievable.

Parking Issues & Servicing

- 8.43 The site is located in an area which is not considered to have high levels of accessibility to local public transport services according to criteria set out in the UDP. It is considered that the proposed scheme would generate an anticipated parking demand of approximately 485 spaces. The applicant is proposing a total provision across the site of 372 spaces including disabled spaces, which represents a significant shortfall. Whilst, it may be possible to mitigate against the proposed low provision of spaces through a comprehensive Travel Plan and appropriate contributions to initiatives & off-site works designed to promote sustainable modes of travel such as walking and cycling, these are not provided as part of the application package.
- 8.44 There are concerns regarding the parking & servicing arrangements for the proposed development. The relationship between the parking areas and the various proposed uses within the southern side of the site raises cause for concern, which is exacerbated by the low overall parking provision and the competing demands from the hotel and the residential units, where mid-week peak parking demands are likely to coincide.
- 8.45 In addition, there are concerns regarding the security of vehicles parked at ground level; particularly residents vehicles parked overnight, as a substantial number of the spaces are not able to be secured by gates or barriers. Furthermore, the disabled parking provision is not well distributed for the various uses. There are also concerns regarding the relationship between the basement disabled parking and lifts.

Highway Matters

- 8.46 The proposed vehicular access to the northern side of the part is considered to be unsatisfactory as it is opposite the ramped access to the underground car park to the southern part and therefore creates an informal crossroads arrangement.
- 8.47 The swept path drawings provided are not of adequate scaling and therefore it is not possible to properly assess this aspect of the proposals. Furthermore the swept path for vehicles turning at the north west of the site utilises the ramped access to the car park, which is far from ideal.

Transport Assessment/Traffic Impacts

- 8.48 It is considered that the information provided in the Transportation Assessment (TA), specially relating to parking provision, is minimal and the use of TRICS trip generation in Table 3.3 of the TA to justify the level of parking provision for the development is tenuous.
- 8.49 Detailed comments regarding the submitted TA are awaited from Urban Traffic Control (UTC) particularly in regard the analysis of Marston Road/Penn Road junction and the applicant's suggestion that impacts on the junction could be resolved by adjusting signal timings. Nevertheless, it is considered that the TAs particular focus on the junction of Marston Road/Oaklands Road and Penn Road, which does deserve careful consideration, is at the expense of considerations regarding the impact on other areas of the road network, for example, that the opening up of an exit from Graiseley Hill onto Penn Road could result in "rat running" from Dudley Road.

- 8.50 In addition, the TA recognises that 60% of Personal Injury Accidents (PIA) in the vicinity of the site in the last 5 years occurred at the Marston Road/Oaklands Road/Penn Road signalised junction and whilst the development will clearly intensify traffic movements at the junction, the analysis of accidents is minimal in detail and there is no proposed mitigation within the TA. There are therefore concerns regarding the potential for additional, undesired U-turn manoeuvres by southbound vehicles, to turn and head north towards the City.
- 8.51 Finally, the TA states that this authority is proposing to undertake improvements to the A449 Penn Road including:
- Conversion of Lea Road/Penn Road and Ablow Street/Penn Road junctions to be all movement signalised junctions.
 - Realignment of Penn Road to improve forward visibility
 - Removal of the existing subway and construction of an “at grade”, pedestrian crossing facility.
- 8.52 Unfortunately, it is not possible confirm exact details and timescales for the above works. Therefore, the TA should also consider traffic impacts on the current road layout and should include Marston Road/Oaklands Road, Lea Road, Ablow Street and Penn Road/Ring Road junctions in its evaluation.

9. Conclusion

- 9.1 Although the applications consider meaningful and sustainable regeneration scheme, the proposed development would constitute a major departure from the development plan, as the proposed uses are not consistent with the UDP allocation and the proposed centre uses in an out-of-centre location would be contrary to centres policies in the UDP.
- 9.2 S54A of the 1990 Act requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The provision of new homes and employment opportunities and the development of this empty site on an important arterial route into the city centre are material considerations which can be weighed in the balance against the policy presumption against the development. However, the homes are not of the kind required, either in terms of type or tenure (being small flats with no affordable housing), the residential environment created would be poor, the commercial uses would be likely to undermine the city centre and the proposal would not result in a high quality development, in scale with its surroundings, with active frontages. As such, the proposal is also contrary to centres policies, design policies and housing policies in the UDP.
- 9.3 In the absence of material considerations sufficient to outweigh the statutory presumption in favour of the development plan, the application should be refused.

10. Recommendation

- 10.1 Refuse, for reasons including:
1. The proposed uses do not conform to policy B14(i) of the UDP which seeks the redevelopment of the site for mixed uses with an emphasis on creative and technology light industrial activity and live/work units as demand arises. The proposal is therefore contrary to UDP Policy B14.
 2. Insufficient information has been provided to justify the provision of commercial uses (hotel, retail, business and medical) in this location. It is considered that

those uses would undermine the vitality and viability of nearby centres, including the city centre and create unsustainable patterns of vehicle movement. The proposal is therefore contrary to UDP Policies SH1, SH2, SH3, SH9, C2.

3. Due to the lack of affordable housing, and limited mix of accommodation, it is not considered that the proposal would result in a mixed community. The proposal is therefore contrary to UDP Policies H3, H9, H10.
4. For reasons including; the height/bulk and massing of the proposal, lack of activity at ground level, poor definition between public and private realms, visual dominance of vehicular parking and lack of amenity space, it is not considered that the scheme demonstrates 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. The proposal is therefore contrary to UDP Policies D1, D3, D4, D5, D6, D7, D8, D9, D10, D11, D13, H6 & R7.
5. Because of a lack of public open space, private amenity space, landscaped areas and the high number of single aspect flats, the development would not provide a high quality sustainable living environment for future residents. The proposal is therefore contrary to Policy D1, H6 and R7 of the Wolverhampton Unitary Development Plan.
6. Insufficient information has been submitted to assess the transportation impacts of the proposal. Particularly, with regard to site access/visibility, parking and servicing arrangements, trip generation and impact on the surrounding highway network. The proposal is therefore contrary to policies D1, AM1, AM12 and AM15 and government guidance in PPS1 & PPG13.

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Head of Development Control – Stephen Alexander



DO NOT SCALE

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Planning Application No: 08/01382/FUL

Location	Former Metal Castings Ltd And , Land At The Rear Of Units 1 12 Hollies Industrial Estate,Grasleley Hill,Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391031 297732
Plan Printed	18.02.2009	Application Site Area	17431m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 08/01323/FUL

WARD: Park

DATE: 13-Nov-08

TARGET DATE: 08-Jan-09

RECEIVED: 20.10.2008

APP TYPE: Full Application

SITE: 1D Clark Road, Wolverhampton, West Midlands, WV3 9NW

PROPOSAL: Change of use to hot food takeaway and extraction flue on roof

APPLICANT:

Mr Inderveer Multani
43 Birches Barn Road
Wolverhampton
West Midlands
WV3 7BL

AGENT:

COMMITTEE REPORT:

1. **Site Description**

- 1.1 The application site is approximately one mile northwest of Wolverhampton City Centre. 1D Clarke Road is a retail unit sited within a parade of five shops close to the junction of Tettenhall Road/Clark Road and within the Tettenhall Road Conservation Area.
- 1.2 Directly opposite the unit is a 24 hour service station, to the rear is a small service yard and garages. Thurlby Court a three storey block of flats is also in close proximity to the rear. The surrounding area is predominantly residential in character.

2. **Application Details**

- 2.1 The application was reported to Planning Committee on 3rd February 2009. It was decided by Members the application should be deferred to Planning Committee on 3rd March 2009 in order that Members would be able to visit the site.
- 2.2 The application is for a change of use from retail (A1) to a hot food takeaway (A5) and the installation of an extraction system.

3. **Planning History**

- 3.1 01/0803/FP for Change of use to hot food takeaway (Class A3).
The application was refused by way of a Decision Notice dated 14.08.2001.
- 3.2 02/0929/FP for Change of use to Hot Food Take-Away (Class A3).
The application was refused by way of a Decision Notice dated 22.11.2002.
- 3.3 03/0158/FP for Change of use from Retail to Hot Food Take Away.
The application was refused by way of a Decision Notice dated 12.05.2003.

4. Constraints

4.1 The site is located within the Tettenhall Road Conservation Area.

5. Relevant Policies

5.1 Relevant Unitary Development Plan Policies

EP3 - Air Pollution

EP5 - Noise Pollution

AM12 - Parking and Servicing Provision

AM15 – Road Safety and Personal Security

SH9 – Local Shops and Centre Uses

SH14 - Catering Outlets

6. Publicity

6.1 The application was advertised in the Express & Star newspaper on 22.11.2008, as it was considered the proposal may affect the character and appearance of the Conservation Area.

6.2 A site notice was posted on the 22.11.2008 as it was considered the proposal may affect the Character and appearance of the Conservation Area.

7. Neighbour Notification and Representations

7.1 239 letters of support have been received for the proposal, the comments can be summarised as follows:

- The proposal would benefit the local community.
- It would provide a convenient service
- It will add variety to the current range of services offered by shops at this location.

7.2 There were 17 letters sent in objection to the proposal and two petitions with 106 and 183 signatures respectively. The comments can be summarised as follows:

- The proposal would have a detrimental impact on the local area.
- The use will generate unacceptable noise and smells.
- The extra traffic generated would cause traffic congestion and affect road safety.
- The use will generate litter and other anti social behaviour.

8. Internal Consultees

8.1 **Environmental Services** - stated a system for the control of odours should be designed and approved. Also a scheme to control noise and vibration particularly where domestic accommodation could be affected should be designed and approved.

Hours of trading and access times for delivery and waste collection should be consistent with those of similar establishments in the vicinity. Adequate provision should also be made for the storage and removal of refuse

- 8.2 **Planning Policy Section** - Have stated that the proposed change of use would not be inconsistent with Policy SH9 of the UDP. However the application depends upon conformity with other policies, e.g. relating to amenity/environmental issues.
- 8.3 **Conservation Officers** - Reported that the proposal will have a very limited impact on the appearance of the Conservation Area and therefore they have no objections.
- 8.4 **Transportation Development** - Have serious concerns that the proposed use will further exacerbate the existing parking problems and have a detrimental affect on highway safety and the free flow of traffic.

9. **External Consultees**

- 9.1 None

10. **Appraisal**

- 10.1 The main issues to consider in respect to this application are as follows:

- Impact of the proposed use on the amenities of neighbouring properties
- Impact on the free flow of traffic and highway safety.

Principle of Development

- 10.2 The site is located within a commercial enclave but it is not designated in the UDP as a local or district centre as such the frontage itself is not protected. Although this shop does provide a local service it is adjacent to other, similar uses and as such it is not considered that the loss of this shop would result in an increase in the number of people living more than 400 metres from alternative provision.

There are other matters to be considered in the context of policy SH9 but these are considered as separate matters. There would be no objection to the principle of the development in this location provided it is acceptable in amenity and highway terms.

- 10.3 There have been three similar applications previously submitted to the Local Planning Authority all seeking a change of use to a hot food takeaway at this address. All have been refused the last one submitted in 2003 was the subject of an unsuccessful appeal to the Planning Inspectorate. There was also an identical proposal for 1B Clark Road (a neighbouring shop) which was also refused by the Local Planning Authority, that decision was also upheld at appeal.

Neighbour Amenity

- 10.4 The nearest residential properties are located at Thurlby Court to the rear, 2B Clark Road, 1 Clark Road and the properties on the opposite of Tettenhall Road. Whilst it is recognised they do not lie immediately adjacent to the application premises it is considered that they would still be adversely affected by the activities associated with a hot food takeaway. The cumulative effect of noise and disturbance in the late evening when the unit is likely to attract most of its customers, and when ambient levels are declining will have a detrimental impact on the amenity of the residential properties. Although the area is already busy with customers using the existing shop

and 24 hour garage the addition of a hot food takeaway would exacerbate the situation.

- 10.5 Hot food takeaways tend to generate noise and disturbance in the late evening when the unit is likely to attract most of its customers. The characteristics of a takeaway are considered different to a retail shop, including one selling liquor, for example the length of time customers could spend waiting for hot food to be cooked etc could be significantly longer than that likely to be needed to purchase goods. This encourages customers to congregate outside the premises; they may then choose to eat food outside or in parked vehicles causing noise and disturbance.
- 10.6 The cumulative impact of the existing uses with the addition of the proposed use would have an unacceptable adverse impact on neighbour amenity by way of additional noise and activity from customers. The proposal is therefore contrary to UDP Policy SH14.

Highway Safety and Free Flow of Traffic

- 10.7 Highways Officers expressed serious concerns that on-street parking associated with the A5 use would exacerbate the existing parking problems at this location which, coupled with traffic attempting to exit the petrol station on the opposite side of Clark Road, would affect the free flow of traffic and the safety of pedestrian/road traffic close to the junction with Tettenhall Road.
- 10.8 There are double yellow lines on both sides of Clark Road at this location with a small parking bay (maximum 5-6 vehicles, 1 hour maximum 8.30am – 6.30pm) for customers using the parade of shops. The parking bays are frequently over subscribed leading to vehicles parking on the double yellow lines or on the tarmac area immediately in front of the shops. The proposed change of use would lead to an increase in traffic using the site. This would result in further competition for parking spaces and customers of the takeaway parking for longer periods while awaiting food orders. The proposal is therefore contrary to UDP Policy AM12.
- 10.9 Vehicles can only enter this tarmac area in front of the shops via a drop kerb at the south west end of the parade. Unless vehicles reverse to this same point the only other egress is to drive over the footway, causing an obvious safety hazard. The extra traffic it is perceived the proposed use would generate would only aggravate the situation. The proposal is therefore contrary to UDP Policy AM15.

11. Conclusion

- 11.1 There has been no material change in planning circumstances since the previous refusals for this type of proposed use at this location. It is therefore appropriate to consider the application in the light of the previous reasons for refusal.
- 11.2 The cumulative effect of noise and disturbance created by the activities associated with a hot food takeaway will have a detrimental impact on the amenity of nearby residential properties.
- 11.3 The extra traffic that will be generated by a takeaway will add to the congestion that already occurs at this location. Consequently the proposed use would have an adverse affect on the free flow of traffic and the safety of pedestrians/road traffic close to this busy road junction. Contrary to UDP Policies AM12 – Parking and Servicing Provision and AM15 – Road Safety and Personal Security.

12. Recommendation

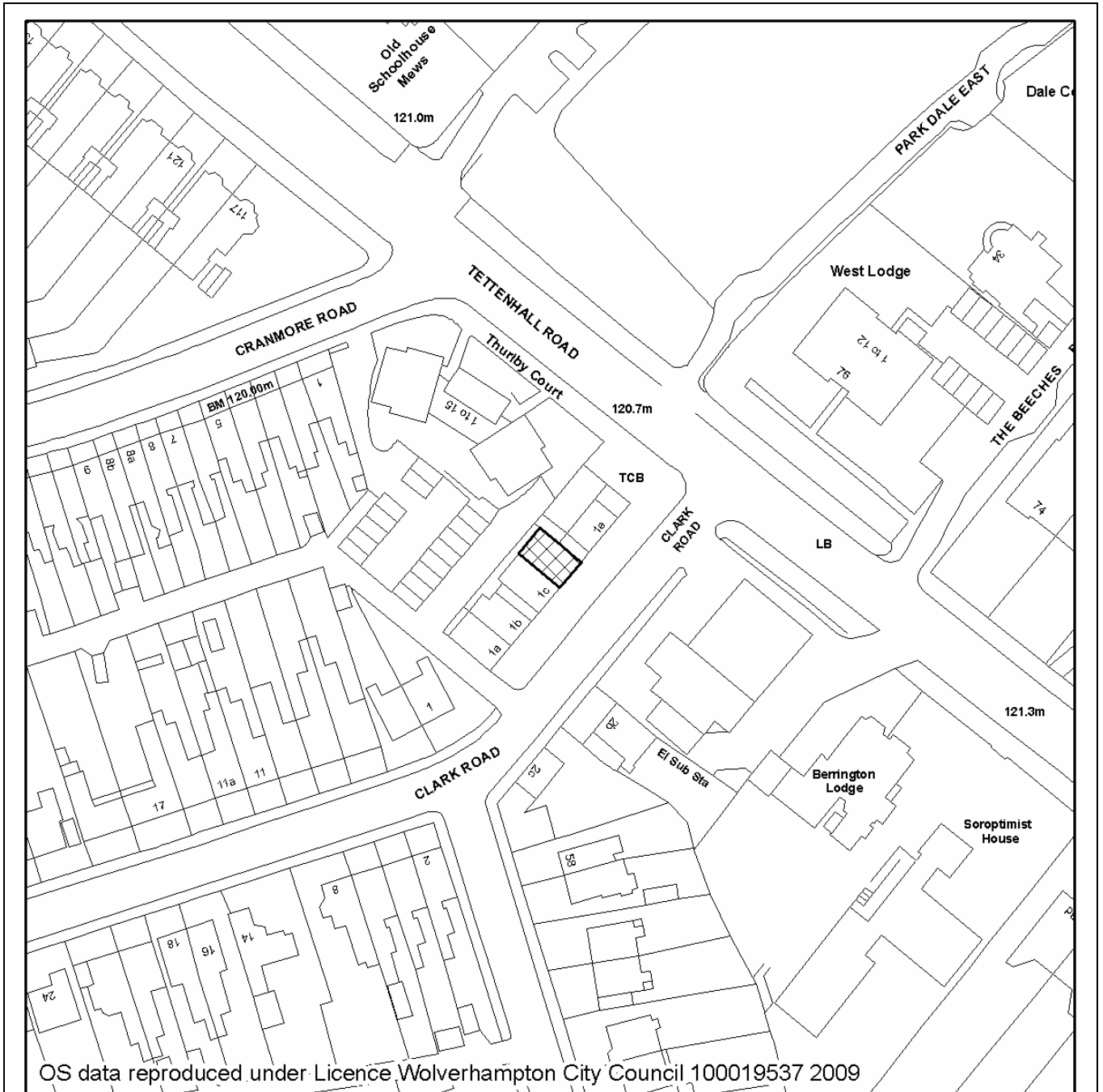
Refuse for the following reasons:

- 12.1 Detrimental impact upon residential amenity due to cumulative noise and activity particularly late in the evening.
- 12.2 Adverse affect on highway/pedestrian safety and the free flow of traffic.

Case Officer : Colin Noakes

Telephone No : 01902 551132

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01323/FUL

Location	1D Clark Road, Wolverhampton, West Midlands, WV3 9NW		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390061 298999
Plan Printed	18.02.2009	Application Site Area	54m ²

PLANNING COMMITTEE - 03-Mar-09

APP NO: 09/00021/DWF & 09/00022/LBC
WARD: St Peter's
DATE: 12-Jan-09
TARGET DATE: 09-Mar-09
RECEIVED: 12.01.2009
APP TYPE: Full Deemed Planning Permission (WCC)

SITE: Town Hall And Magistrates Court, North Street, Wolverhampton, West Midlands

PROPOSAL: Relocation and replacement of air conditioning and air handling plant at roof level

APPLICANT:
Asset Management
Wolverhampton City Council
Civic Centre
St Peter's Square
Wolverhampton
WV1 1RP

AGENT:
Mr Graham Beddows
Property Services
Civic Centre
St Peter's Square
Wolverhampton
WV1 1RL

COMMITTEE REPORT:

1. Site Description

- 1.1 The site includes the Grade II Listed former Wolverhampton Town Hall, now occupied by the Magistrates Court. It is situated on North Street within Wolverhampton City Centre Conservation Area. The building was opened in 1871 and is built in the French Renaissance style with a sandstone façade and rusticated plinth.
- 1.2 The works proposed relate specifically to the flat roof above the waiting rooms for Courts 6 & 7, situated on Corporation Street. A parapet wall has recently been erected on the flat roof, approximately 1m high.

2. Application details

- 2.1 The application proposes the relocation of existing plant and the installation of new heating and cooling plant to replace existing. This is to be located on the flat roof above the waiting rooms above Court room 6 and 7 facing onto Corporation Street.

3. Planning History

- 3.1 None relevant

4. Constraints

- 4.1 Conservation Area
Grade II Listed Building
Sites and Monuments
Shopping Quarter
Cultural Quarter

5. Relevant policies

- 5.1 National Policies
PPS1 - Delivering Sustainable Development
PPG15 - Planning and the historic environment
- 5.2 UDP Policies
D1 - Design Quality
D4 - Urban Grain
D7 - Scale - Height
D8 - Scale – Massing
D9 - Appearance
HE1 - Preservation of Local Character and Dist
HE3 - Preservation and Enhance. of Con. Areas
HE4 - Proposals Affecting a Conservation Area
HE5 - Control of Development in a Con. Area
HE13 - Development Affecting a Listed Building
HE14 - Alterations and Extensions to a Listed Building

6. Publicity

- 6.1 At the time of writing the consultation period had not expired. Any representation subsequently received will be reported verbally at the Committee Meeting.

7. Internal consultees

- 7.1 **Conservation** – Mechanical service installations of this type are generally obtrusive and unsightly. However the area of roof which will be covered by the new installations is less extensive than the existing. In addition, the front wall of the building has now been raised to form a parapet which will screen the installations much more effectively from external public view.
- 7.2 Under the circumstances no objections are raised to the proposals but it is recommended that a condition is applied to the Listed Building Consent. This should require that after existing suspended ceilings are removed, but before any new services are installed officers have the opportunity to inspect the building and to agree to the final arrangement of the installations. This is to ensure that no important original architectural details which may be concealed above the existing suspended ceiling are damaged or destroyed.
- 7.3 **Environmental Services** – No comments received at the time of writing

8. External consultees

- 8.1 **English Heritage** – The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

9. Appraisal

- 9.1 The key issue for consideration is the impact of the proposed works on the special architectural and historic interest of the building and its setting within the Conservation Area.
- 9.2 The Old Town Hall building is of significant historical interest and is extremely prominently located within the City Centre Conservation Area. In accordance with the key historic policy considerations, as set out within Wolverhampton UDP and government guidance within PPS1 and PPG15, any proposed alterations should not harm the special architectural or historic interest of the building or its setting.
- 9.3 The replacement installations and relocation of existing plant would be less extensive than the existing layout. In addition to this, the front wall of the building has now been raised to form a parapet which will screen the installations much more effectively from external public view.
- 9.4 It is recognised that mechanical installations, as proposed, are generally unsightly and obtrusive; however the proposals would be adequately screened by the recently erect parapet and would appear less prominent than the existing layout.

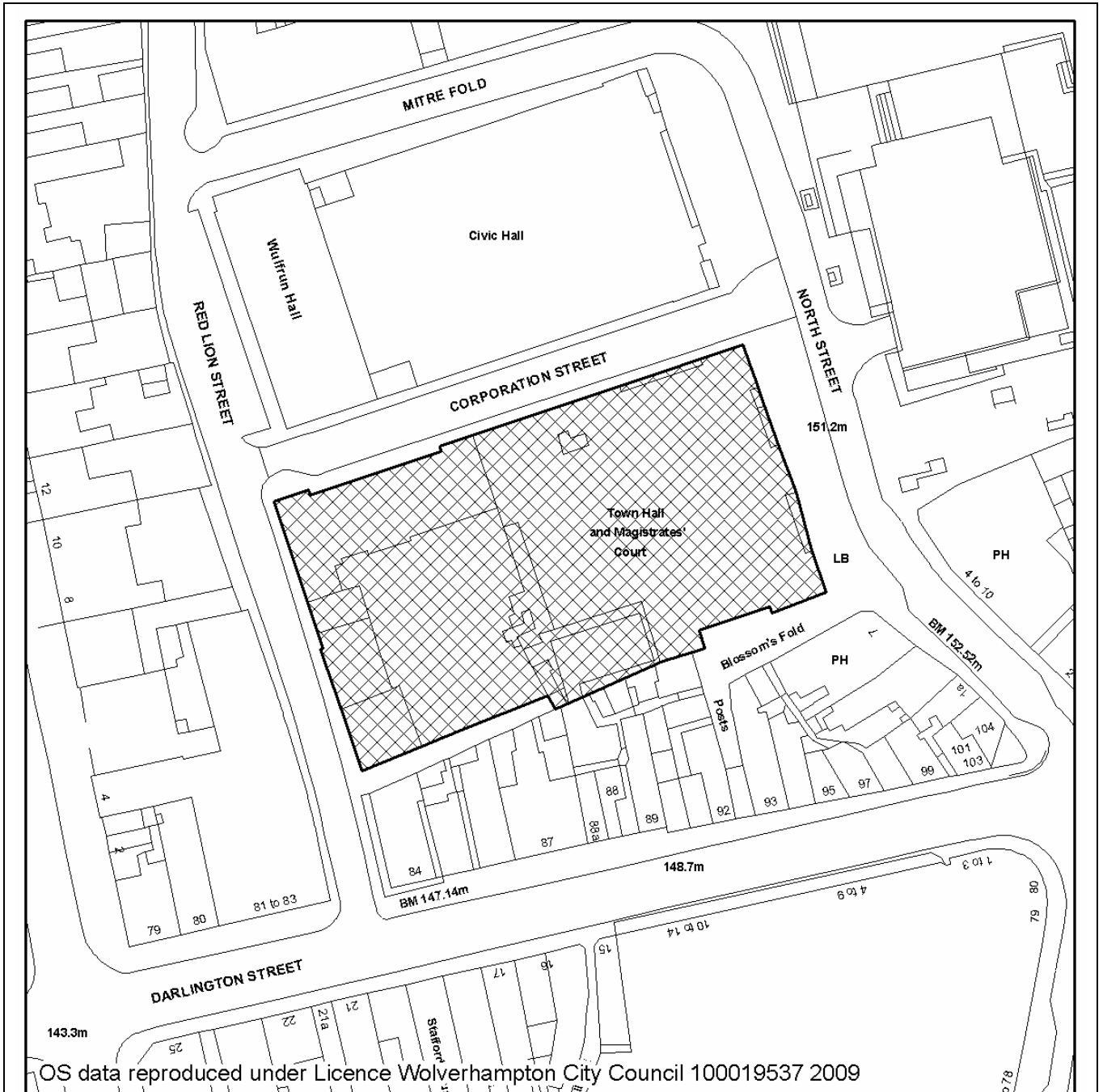
10. Conclusion

- 10.1 The proposed relocation of existing and installation of new plant would not compromise the special architectural and historic interest of the building. The parapet would adequately screen the proposal to avoid adversely affecting the setting of the Listed Building.

11. Recommendation

- 11.1 Grant planning permission for the full application.
- 11.2 Delegated authority to the Director for Sustainable Communities to refer the Listed Building Consent application to the Secretary of State, recommending approval and to issue the approval thereafter with a condition to inspect the building and to agree the final arrangement of installations prior to the work commencing.

Case Officer : Mark Elliot
Telephone No : 01902 555648
Head of Development Control – Stephen Alexander



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Planning Application No: 09/00021/DWF & 09/00022/LBC

Location	Town Hall And Magistrates Court, North Street,Wolverhampton,West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391266 298713
Plan Printed	18.02.2009	Application Site Area	4129m ²

4. Neighbour Notification and Publicity

- 4.1 Six letters of objection have been received. Two are from local ward councillors, two from local residents and one from the local neighbourhood partnership and local community centre. In addition to this a petition of objection containing 14 signatures has also been received.
- 4.2 The reasons for objecting to the proposal are that the bookmakers would result in nuisance from clients of the bookmakers gathering outside resulting in anti-social behaviour along with the increase in opening hours, increase in litter and noise affecting residents in flats above, confusion for bus drivers due to the close proximity of the bus stop, harmful effect to the retail centre, loss of greengrocers, the unnecessary need for another betting office, increase in parking problems and the proposal is not considered as meeting the needs of the community.

5. Internal Consultee

- 5.1 Environmental Services – recommend sound attenuation scheme to safeguard amenities of residents of flat above.

6. Appraisal

- 6.1 The main issues to consider in respect to this application are as follows:

- **Principle of Proposed Use**
- **Residential Amenities**

Principle of Proposed Use

- 6.2 Unitary Development Plan Policy SH10: Protected Frontages aims to protect the overall function of the centre/group of shops and ensure they are not undermined. Permission will not be granted where non A1 uses constitute any of the following: i) more than 30% of the shops units in the centre concerned; ii) more than 30% of the frontage length; and iii) more than three consecutive units. In addition any proposed use should make a positive contribution to the overall role of the centre/group of shops.
- 6.3 In this particular group of shops there are 93.3% of A1 uses within the centre and 6.7% of non-A1 uses which are within the 30% limit set by policy SH10 for non-A1 uses. The centre as a whole is considered to have a healthy balance of uses and the use of the application property for an A2 use would result in the percentage of 13.3% of the units being within non-A1 uses which is unlikely to have an adverse effect on the mix of uses or the health of the centre and is therefore considered acceptable.
- 6.4 Policy SH8: Local Centres states that the role of a local centre is to provide for day-to-day convenience shopping needs of a population mostly living within walking distance. Policy SH8 states that centre uses appropriate in scale to the role and function of these centres and their catchments within their defined boundaries will be supported subject to Policy SH2 and environmental and traffic considerations. In Policy SH2: Centre Uses, it states where appropriate in scale, that along with retail, leisure, entertainment facilities and offices both commercial and those of public bodies are regarded as centre uses. As betting shops falls within Use Class A2 similar to that of an office to be used as a bank, building society or an estate agent, it is considered that the use would not significantly harm the vitality and viability of the local centre and would not result in a significant increase in traffic movements to an extent to harm the vitality and viability of the local centre.

Residential Amenities

- 6.5 Nearby residents have raised concerns in particular to nuisance from clients of the betting office gathering outside resulting in increased noise and anti-social behaviour. People who visit betting shops may stay there longer than they would in an average A1 retail shop and they may occasionally smoke outside the premises. However there is no evidence that a betting office is any noisier than a retail shop and therefore there is no justification for withholding planning permission on this particular basis.
- 6.6 There is an existing bus stop and a separate parking lay-by to the front of these premises and the introduction of this proposal is considered not to interfere with this existing arrangement.
- 6.7 The proposed hours of opening are Monday to Saturday 0730 – 2200 and Sunday and Bank Holidays 1100 – 1800. The majority of the shops in the parade close around 6pm and the café opens as early as 0730. In order to safeguard residents amenities, in particular the residents of the accommodation above, it is considered that the hours of opening shall be restricted to Monday to Saturday 0730 – 2000 and Sunday and Bank Holidays 1100 – 1800. In addition to this it is considered that if customers exiting the betting office depart with their betting slips, the provision of a litter bin should be provided by way of a condition in order to minimise the disposal of litter onto the highway.
- 6.8 It is considered that to reduce the impact of noise and disturbance to the occupants of the residential accommodation above, a condition should be imposed for details to be submitted of a sound attenuation scheme to safeguard their amenities.

7. Conclusion

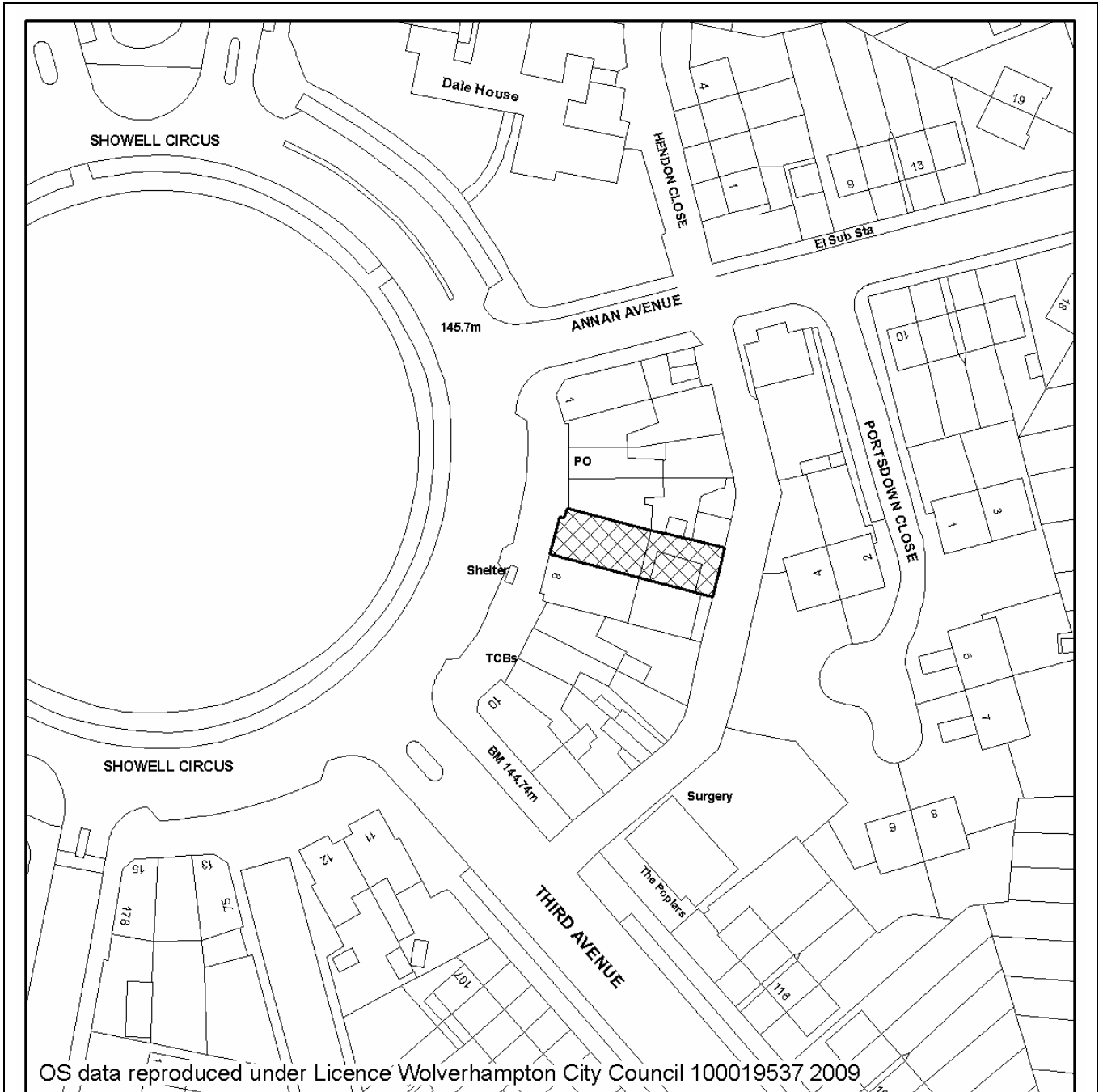
- 7.1 Taking into consideration all of the above, the change of use is considered acceptable as it meets the criteria as set out in the councils UDP policies.

8. Recommendation

- 8.1 Grant subject to the following condition:

- Hours of opening: Monday to Saturday 0730 – 2200 and Sunday and Bank Holidays 1100 - 1800
- Provision of litter bin
- Sound attenuation scheme

Case Officer : Ragbir Sahota
Telephone No : 01902 555616
Head of Development Control – Stephen Alexander



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Planning Application No: 08/01503/FUL

Location	5 Showell Circus, Wolverhampton, West Midlands, WV10 9BA		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 392473 301412
Plan Printed	18.02.2009	Application Site Area	250m ²

- 2.3 The pitched roof fall of the proposed porch is opposite to the pitched roof fall of the existing building. The porch would project by approximately 1.8m from the proposed front elevation.
- 2.4 The extension, at first floor level, would incorporate a balcony to be located on top of the flat roof garage of approximately 5.5sqm. The second small balcony, of approximately 1.2sqm would project from the front of bedroom 1, in close proximity to the rear boundary wall of No. 1.
- 2.5 At ground floor level the extension would incorporate: a new stair well, dining room, hall and porch.
- 2.6 At first floor level, the extension would include an additional bedroom with a dressing room, large sitting room and en-suite.

3. Constraints

- 3.1 Tree Preservation Order - TPO Ref: 06/00105/TPO

4. Relevant policies

4.1 National Policies

PPS1 - Delivering Sustainable Development

4.2 UDP Policies

D1 - Design Quality
 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
 AM1 - Access, Motability and New Development
 AM12 - Parking and Servicing Provision

4.3 Supplementary Planning Documents

SPG4 – Extension to Houses

5. Publicity and Neighbour notification

- 5.1 Six letters of objection received and a letter from Rob Marris MP raising the following issues:
- Loss of light to No. 3 Perton Grove
 - Eyesore development
 - Glassed porch out of character
 - The proposed sitting room can be transformed into an additional bedroom
 - Detrimental to the open character of the area.
 - Increase in noise and traffic
 - Overdevelopment

- Loss of privacy to No. 21 Perton Grove
- Speculative multi-occupation on a commercial basis
- Overshadowing/overbearing effect on No. 3 Perton Grove
- Detached effect

6. **Consultees**

6.1 **Tree Officer** – No objections to the proposal.

7. **Appraisal**

7.1 The key issues are:

- Design & appearance
- Effect on immediate locality/neighbours amenity

Design & Appearance

7.2 With regard to the character and appearance of the proposal in relation to the street scene, it is evident that there are not many two storey front extensions in the immediate locality.

7.3 However, it is considered that the proposed two storey and first floor front extensions meet the required design standards as they would not project forward of the existing building line. The staggered nature of the building along the street frontage at Perton Grove would be retained.

7.4 The proposed extension would mostly occupy the current foot print of the existing building.

7.5 The total area of the existing front garden is approximately 172sqm. The proposed extension would only occupy 16s.q.m of this space.

7.6 The fascia of the two storey element would be recessed 1.8m from the proposed glassed porch. The application site is the last of the properties facing onto Perton Grove and abuts the rear garden of No.1.

7.7 The proposed extensions would maintain the asymmetrical design of the existing property. The proposed glassed porch, would also have an asymmetrical roof in keeping with the character of the property. The design of the proposed glassed porch is considered an honest contribution to the existing building, intentionally made with an 'opposite pitch roof', a contemporary style and contemporary materials.

7.8 Therefore, the proposed extension responds positively to the established pattern of the buildings, spatial character and building lines.

Effects on immediate locality

7.9 The application site, as well as the majority of the properties along Perton Grove, including No. 2, has an eastern to western orientation. The application site is located immediately adjacent to No. 3's double garage. The proposed extension would be sited approximately 9m away from No.3's main building. Any projecting shadow would be considered minimal for most of the year and would only affect part of the double garage which is not a habitable room or amenity space. Therefore, it is considered, that there is sufficient gap in between properties and there would be no adverse overshadowing impact on the neighbours property or loss of sunlight/day light.

- 7.10 The application site is located approximately 26m away from No. 21 Perton Grove. The application site faces toward No. 21's side boundary wall and side elevation. Due to this separation it is considered that there would be no over looking effect on No. 21 Perton Grove.
- 7.11 The proposed balcony located on the southern part of the building would be located in close proximity to the rear garden of No.1 Perton Grove and this is considered unacceptable as the proposed extension would allow overlooking into the rear garden. Amended plans have been requested to address this issue.
- 7.12 The proposed front extension incorporates, at first floor level, an additional bedroom that is linked to a large sitting room area that would have access to an en-suite bathroom. The existing property has four bedrooms; the proposed development would retain the same number of bedrooms and there is no evidence to suggest multi-occupation. Therefore, due to the scale of the proposal, there would be no significant increase in levels of noise or traffic around the area.

8. Conclusion

- 8.1 The proposed front extensions are considered acceptable in terms of design and street scene. Amended plans have been requested to remove the southern balcony.

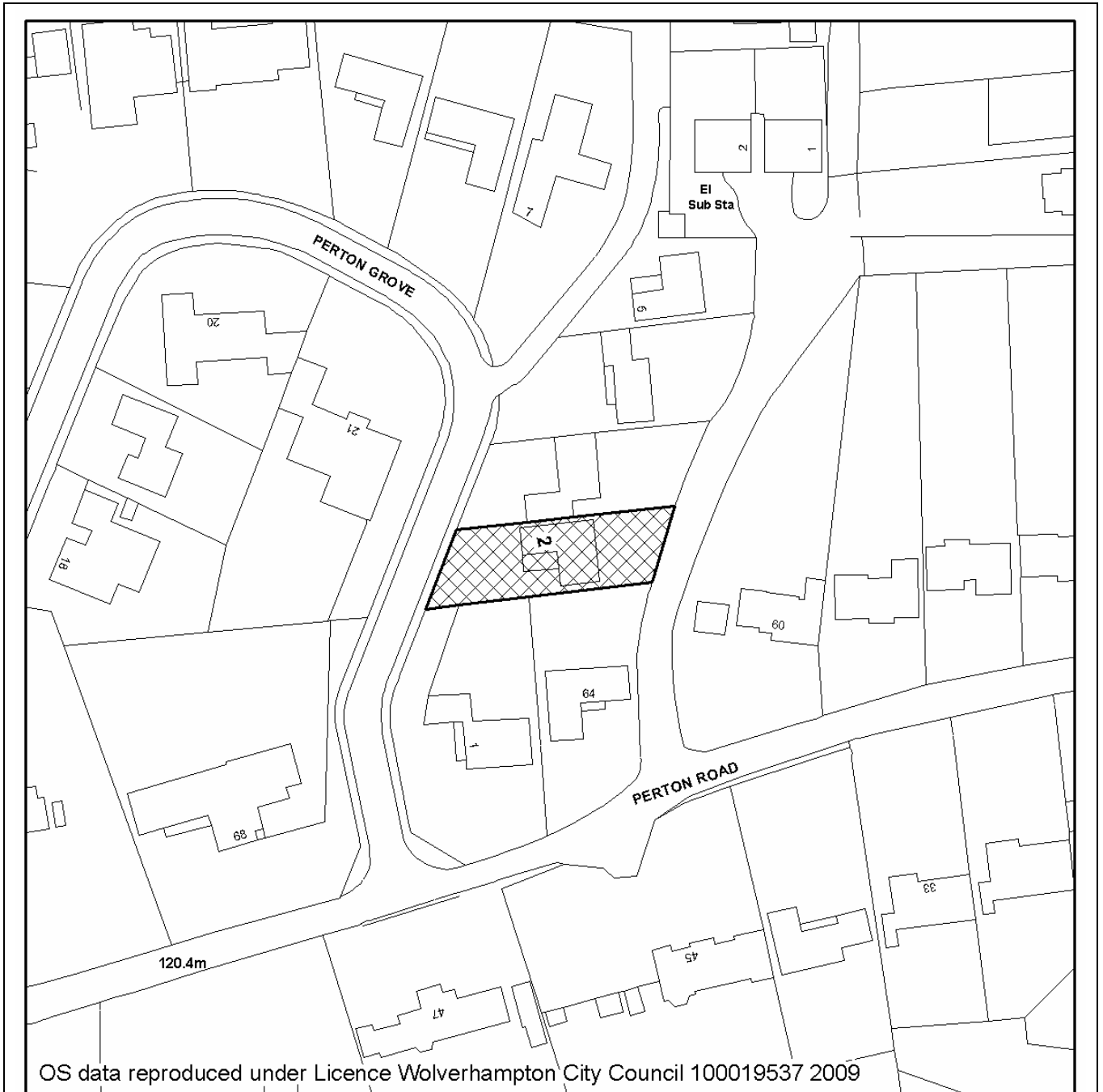
9. Recommendation

- 9.1 Delegated authority to grant providing amended plans satisfactorily address overlooking into No. 1 Perton Grove.

Conditions to include:

- Submission of Materials
- Large scale drawings of all external architectural elements.

Case Officer : Marcela Quinones
Telephone No : 01902 555607
Head of Development Control – Stephen Alexander



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Planning Application No: 08/01537/FUL

Location	2 Perton Grove, Wolverhampton, West Midlands, WV6 8DH		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 386637 298878
Plan Printed	18.02.2009	Application Site Area	507m ²

4. Constraints

- 4.1 Authorised Processes
Tettenhall Road Conservation Area
Listed Building Curtilage - : 895-1/5/338

5. Relevant policies of the applicants statement

- 5.1 The following UDP Policies are relevant:

D1 - Design Quality
D9 - Appearance
HE3 - Preservation and Enhance. of Con. Areas
HE4 - Proposals Affecting a Conservation Area
HE5 - Control of Development in a Con. Area

6. Publicity

- 6.1 15 similar letters of representation were received from individual persons. These supported the application on the following grounds
- the windows would be more energy efficient providing improved noise insulation.

7. Internal consultees

Conservation

- 7.1 UPVC windows have an adverse impact on character and appearance of the Tettenhall Road Conservation Area.
- 7.2 The development neither preserves nor enhances the character or appearance of the conservation area.
- 7.3 The application should be refused and enforcement action instigated to secure replacement of double hung sliding sash windows in painted timber to original pattern.

8. Appraisal

- 8.1 The key factor in determination of this application is whether the existing development has preserved and enhanced the character and appearance of the Tettenhall Road Conservation Area.
- 8.2 The original timber sash windows provided interest and character to this prominent elevation and when viewed from the streetscene would contribute positively to the appearance of the building as part of the Conservation Area. It is therefore important that any replacement windows mimic the timber characteristics, i.e. thin profile of the frames and window divisions.
- 8.3 The UPVc windows that have been installed provide a chunky appearance that is entirely out of keeping with the character and appearance of the dwelling. It is considered that the windows installed are excessively thick framed and harmful to the character and appearance of the Conservation Area.

8.4 It is stated in the application forms that the works were carried out to replace 'rotten single glazed windows with UPVc double glazed windows'. This was carried out to improve the standard of heating and to conserve energy and to reduce traffic noise nuisance. This however does not justify the harm that the windows installed have had on the character and appearance of the Conservation Area. There are other suitable forms of replacement windows that could have been installed that would preserve or enhance the character of the building and its setting in the Conservation Area. The reasons stated in the application form do not justify the development that has been carried out.

9. **Conclusion**

9.1 It is recommended that the application is refused as the existing UPVc windows that have been installed are out of character and detract from the appearance of the existing dwelling. The development neither preserves nor enhances the character and appearance of the conservation area.

9.2 The application should be referred to enforcement to take further action.

Case Officer : Mark Elliot

Telephone No : 01902 555648

Head of Development Control – Stephen Alexander



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Planning Application No: 08/01240/RP

Location	73 Tettenhall Road, Wolverhampton, West Midlands, WV3 9NE		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390280 298841
Plan Printed	18.02.2009	Application Site Area	619m ²

4. Constraints

- 4.1 Authorised Processes
W'ton City Centre Conservation Area
LB Grade: II
Sites and Monuments
Shopping Quarter
Cultural Quarter

5. Relevant policies

- 5.1 D1 - Design Quality
HE1 - Preservation of Local Character and Distinctiveness
HE3 - Preservation and Enhance. of Conservation Areas
HE4 - Proposals Affecting a Conservation Area
HE5 - Control of Development in a Conservation Area
HE7 - Underused Buildings Structures in Conservation Area
HE12 - Preservation and Active Use of Listed Buildings
HE13 - Development Affecting a Listed Building
HE14 - Alterations and Extns to a Listed Buildings
HE15 - Change of Use to a Listed Building
HE17 - Develop. Affecting the setting of a Listed Buildings

6. Publicity

- 6.1 No objections received.

7. Internal consultees

- 7.1 **Conservation** – to be reported verbally.
- 7.2 **Access Team** – The main entrance should be level or ramped. Also make detailed comments in relation to Building Regulation matters.
- 7.3 **Building Control** - No objection.

8. External consultees

- 8.1 English Heritage – Object to the application in its present format, and suggests that further consideration be given to the siting of the lift shaft and also, the details of the proposed suspended ceiling and air conditioning works to be clarified.

9. Appraisal

- 9.1 Key Issues

- **Design/Street Scene**
- **Impact on the Grade II Listed Building**
- **Impact on the Town Centre Conservation Area**

- 9.2 An application for change of use to a “Youth Café” at 11 – 15 Lichfield Street application no.08/01479 was granted on 4 February 2009. The application was on behalf of the Youth Team and Wolverhampton City Council.

- 9.3 The application site is a Grade II Listed building; therefore, Listed Building consent is required for any external or internal alterations to the premises and due to the applicant being Wolverhampton City Council, the application will need to be determined by the Secretary of State.

Design/Street Scene

- 9.4 There are no major alterations proposed to the external appearance of the premises, apart from maintenance items such as the existing shops entrance doors to be retained and repaired. Therefore, the design in the street scene is acceptable.

Impact to the Listed Building and Conservation Area

- 9.5 Comments are awaited from the Conservation Officer regarding the internal alterations. However, there is initial concern about the proposed suspended ceiling and the proposed location of the lift.
- 9.6 The suspended ceiling and the lift have been discussed at length with the applicant, conservation officer, planning officer and English Heritage, and it was concluded, as highlighted in the comments from English Heritage, that the suspended ceiling would be acceptable, although specific detail would be necessary, and the suspended ceiling should be stopped short of the shop window to minimise visual intrusion, these elements could be conditioned. The proposed lift position, however, would be unacceptable, as this has a detrimental impact on certain qualities of the property, such as internal windows and amended plans are awaited regarding the relocation of the lift and other alterations associated with this.

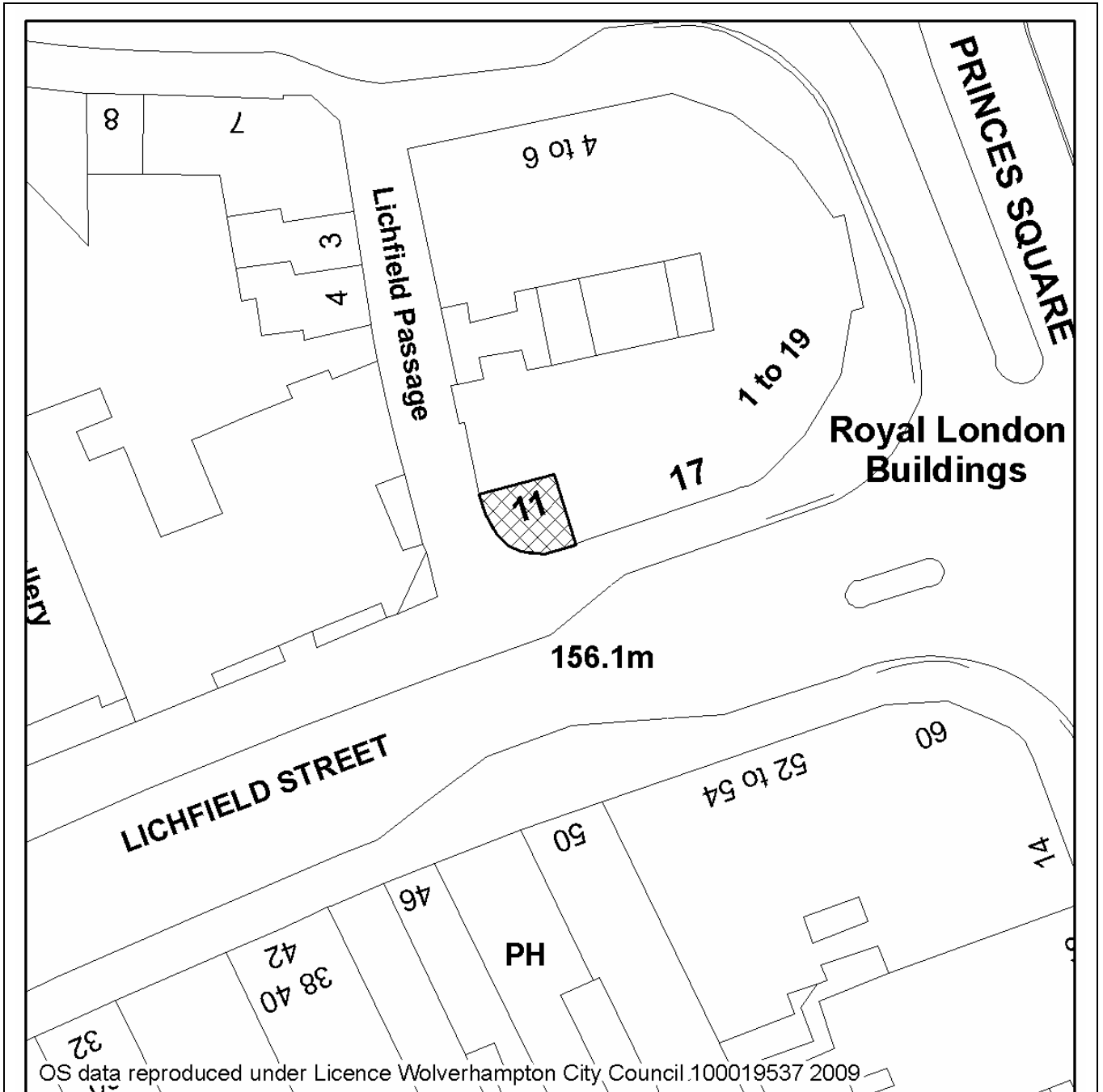
10. Conclusion

- 10.1 Satisfactory amended plans received, therefore, refer the application to the Secretary of State for approval, with necessary conditions.

11. Recommendation

- 11.1 Refer the application to the Secretary of State to Grant, subject to necessary conditions as follows:
- Large Scale Architectural Detail
 - Appropriate Materials
- 11.2 Note For Information – Access Team Comments

Case Officer : Tracey Homfray
Telephone No : 01902 555641
Head of Development Control – Stephen Alexander



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Planning Application No: 09/00047/LBC

Location	11-15 Lichfield Street, Town Centre, Wolverhampton, West Midlands		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391560 298797
Plan Printed	18.02.2009	Application Site Area	25m ²