

**Time** 2.00 pm      **Public Meeting?** YES      **Type of meeting** Regulatory  
**Venue** City Suite, Mayor's Parlour, 3rd Floor, Civic Centre, St Peter's Square,  
Wolverhampton, WV1 1SH

## Membership

### Members of the Planning Committee

Quorum for this meeting is four Councillors.

## Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

**Contact** Donna Cope  
**Tel/Email** Tel 01902 554452 or email [donna.cope@wolverhampton.gov.uk](mailto:donna.cope@wolverhampton.gov.uk)  
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Minutes of the previous meeting</b> (Pages 3 - 8) [To approve the minutes of the previous meeting as a correct record]
4	<b>Matters Arising</b> [To consider any matters arising]
5	<b>18/01458/FUL - 16 Park Avenue, Wolverhampton</b> (Pages 9 - 12) [To consider the planning application]
6	<b>19/00298/FUL - 18 Nethy Drive, Wolverhampton, WV6 8TF</b> (Pages 13 - 16) [To consider the planning application]
7	<b>18/01479/FUL - 29-31 Coronation Road, Ettingshall, Wolverhampton</b> (Pages 17 - 20) [To consider the planning application]
8	<b>18/00911/FUL - Land bounded by Cross Street North, Birmingham Canal and Cannock Road</b> (Pages 21 - 28) [To consider the planning application]
9	<b>19/00134/FUL - 38 Highlands Road, Wolverhampton, WV3 8AH</b> (Pages 29 - 32) [To consider the planning application]
10	<b>19/00106/FUL - Land To The Rear Of 45 Rookery Road, Wolverhampton.</b> (Pages 33 - 38) [To consider the planning application]
11	<b>19/00062/FUL - 38 Riley Crescent, Wolverhampton</b> (Pages 39 - 42) [To consider the planning application]

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Minutes - 19 March 2019</b>
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## Attendance

### Councillors

Cllr Dr Michael Hardacre (Chair)  
Cllr Anwen Muston (Vice-Chair)  
Cllr Obaida Ahmed  
Cllr Harman Banger  
Cllr Alan Butt  
Cllr Wendy Thompson

### Employees

Stephen Alexander	Head of City Planning
Martyn Gregory	Section Leader Planning
Colin Noakes	Senior Planning Officer
Veronica Russell	Planning Officer
Tracey Homfray	Planning Officer
Jenny Davies	Section Leader Planning
Ragbir Sahota	Planning Officer
Laleeta Butoy	Assistant Planner
Tim Philpot	Professional Lead - Transport Strategy
Leonie Woodward	Lead Lawyer
Donna Cope	Democratic Services Officer

## Part 1 – items open to the press and public

*Item No.*      *Title*

**1      Apologies for absence**

Apologies for absence were received from Councillors Clare Simm, Keith Inston, John Rowley, Gurmukh Singh and Celia Hibbert.

**2      Declarations of interest**

Councillor Alan Butt declared a non-pecuniary interest in respect of agenda item 9, application 18/01156/FUL, The Woodbine, Wood Lane, Wolverhampton, WV10 8HU.

**3 Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 15 January 2019 be confirmed as a correct record and signed by the Chair.

**4 Matters Arising**

There were no matters arising.

**5 18/01288/FUL - 60 Cadman Crescent Wolverhampton WV10 0SJ**

The Committee considered a report regarding 18/01288/FUL - Change of Use of an extended five-bedroom house to a five-bedroom House in Multiple Occupation (HMO).

Mr David Adjei addressed the Committee and spoke in support of the application.

A Member of the Committee expressed concerns regarding the application, however other Members felt that the proposals were acceptable.

Resolved:

That planning application 18/01288/FUL be granted subject to the following conditions:

- Office must remain in use as an office in association with the permitted use of the property;
- First floor store not used as a bedroom;
- No more than five residents;
- Cycle parking to be provided;
- Bin store design;
- Parking should be available at all times;
- Remove permitted development rights for extensions.

**6 19/00042/FUL - 49 Rosemary Crescent, Wolverhampton, WV4 5AP**

The Committee considered a report regarding 19/00042/FUL - Proposed two storey side extension including loft conversion. The report had been referred to Planning Committee as the applicant was a Member of the Council.

Resolved:

That planning application 19/00042/FUL be approved subject to the following condition:

- Matching Materials

**7 18/01460/FUL - 52 Millbank Street, Wolverhampton, WV11 2HU**

The Committee considered a report regarding 18/01460/FUL - Proposed 4-bedroom detached house.

In response to a question from Councillor Anwen Muston, Tracey Homfray, Planning Officer, confirmed that the proposed dwelling was a family home not a House in Multiple Occupation (HMO). The Planning Officer stated that a Change of Use for a HMO at this property would require planning permission due to the Article 4 direction and that she would put a note for confirmation on the decision notice.

Resolved:

That planning application 18/01460/FUL be granted subject to conditions including the following:

- Provision and maintenance of Landscaping
- Provision and maintenance of car parking
- External Materials
- Electric Charging Point
- Restrict future extensions/outbuildings/conversions, first floor side facing windows
- Intrusive Site Investigation (Coal)
- Surface Water Drainage

**8 18/01299/FUL - 36 Haden Hill, Wolverhampton, WV3 9PT**

The Committee considered a report regarding 18/01299/FUL - Change of use of single dwelling to 2 one-bedroom apartments.

Martyn Gregory, Section Leader, City Planning, reported the following updates to the report since it had been published:

1. Paragraph 5.1 - twenty-eight letters of objection had been received; 11 of these were from the surrounding area and 17 were from outside the area.
2. Paragraph 5.2 - 13 letters of support had been received; all of these were from outside of the area.
3. Paragraph 8.3 - Remove the sentence "*Conditions to allow the Council to control the number of residents would be imposed*" from the report because this condition would be unreasonable and unenforceable.

The Section Leader stated that the site visit earlier that morning had been very informative and had confirmed that no works had been carried out to effect the application proposals.

Emma Williams addressed the Committee and spoke in opposition to the application. She disputed details within the report and presented her objections which included:

- Parking issues
- Impact on the character of the area
- Anti-social behaviour
- Noise issues
- Neighbour disputes
- Structural issues.

In response to statements made, the Section Leader stated the following:

- Amended plans had improved the layout;
- No objections had been received from the Police or Transportation regarding the proposals;
- Noise issues had been addressed in Paragraph 10.1 of the report;
- The application was for two apartments not a HMO.

Members of the Committee expressed concerns regarding the application and felt that the proposals were unacceptable.

Resolved:

That planning application 18/01299/FUL be refused for the following reasons:

- Car parking issues
- Fear of anti-social behaviour

**9 18/01156/FUL - The Woodbine, Wood Lane, Wolverhampton, WV10 8HU**

The Committee considered a report regarding 18/01156/FUL - Renovation and conversion of a former public house into 12 residential apartments and construction of a single apartment block containing 18 apartments.

Mr O'Neill addressed the Committee and spoke in support of the application.

Councillor Alan Butt welcomed the proposed developments but expressed concern regarding the site as it was currently unsecure and a target for antisocial behaviour.

In response to this, Stephen Alexander, Heading of City Planning, explained that a formal condition regarding securing the site could not be imposed at this stage. However, he assured that Environmental Health would be notified of the site and by way of condition, that when construction began, the site would be secured.

Resolved:

That the Director of Regeneration be given delegated authority to grant planning application 18/01156/FUL subject to:

**1.Completion of a Section 106 Agreement for**

- 25% affordable housing
- 10% renewable energy
- £30,000 open space contribution

- Works to the highway along Wood Lane including a TRO paid for by the applicant
  - Management company for external communal areas
2. Network Rail being satisfied that the development can be constructed without impacting on the adjacent railway.
3. Any necessary conditions to include:
- Approved visibility splays
  - Car parking directional signage
  - Cycle parking
  - Drainage
  - Levels
  - Construction management plan
  - Noise attenuation measures
  - Landscaping scheme
  - Boundary treatments

10      **19/00039/FUL - 141 Victoria Road, Wolverhampton, WV11 1RL**

Planning application 19/00039/FUL had been withdrawn from Planning Committee so therefore was not considered.

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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 21 May 2019</b>
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<b>Planning application no.</b>	18/01458/FUL	
<b>Site</b>	16 Park Avenue, Wolverhampton, WV4 5AL	
<b>Proposal</b>	Front, side and rear extensions to existing bungalow, introduction of a bedroom in roof space with rear dormer window	
<b>Ward</b>	Blakenhall;	
<b>Applicant</b>	Mr Gurcharan Singh	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Laleeta Butoy	Assistant Planner
	Tel	01902 555605
	Email	laleeta.butoy@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

- 1.1 Grant subject to conditions

## **2.0 Application site**

- 2.1 The application property is a two-bedroom detached bungalow amidst a line of bungalows specifically characterised on this stretch of Park Avenue with off-street parking. Each bungalow is of different design, character and height.

## **3.0 Application details**

- 3.1 The application seeks planning permission for front, side and rear extensions to existing bungalow, consisting of three bedrooms at ground floor and the introduction of a fourth bedroom in the roof space with a rear dormer window.
- 3.2 There is a small increase to the height of the bungalow from 5.5metres to 5.8metres measured from ground level to highest roof point.

#### **4.0 Relevant policy documents**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)

#### **5.0 Publicity**

- 5.1 Four letters of objection have been received.

#### **6.0 Consultees**

- 6.1 None

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report (LD/07052019/J)

#### **8.0 Appraisal**

- 8.1 The key considerations are:
  - Impact on neighbour amenities
  - Character
  - Car parking
- 8.2 Impact on neighbour amenities – The proposal has been significantly amended having taken into consideration impact on neighbour amenities. The side garage is proposed with a flat roof and is similar to the existing structure. This design revised would alleviate any undue impact in respect of poor outlook and loss of light/sunlight considering the adjacent kitchen window at No.14 Park Avenue.

The proposed rear extension would have a four-metre projection. This part of the proposal would have a projection as that allowed under permitted development for a detached dwelling. This structure would not unduly impact on neighbour amenities in respect of overbearing or poor outlook.

The rear facing dormer window would not exacerbate any undue adverse impact on neighbour amenities in respect of overlooking and loss of privacy into rear gardens. A dormer window could be installed under permitted development in the existing roof.

- 8.3 Character - The proposal has been successfully redesigned to maintain the character of the existing bungalow and is acceptable in relation to the character and appearance to the neighbouring properties and the street scene.

- 8.4 Car parking - The application site is amidst a line of bungalows specifically characterised on this stretch of Park Avenue with off-street parking. The proposal would not lead to any undue adverse impact in respect to the off-street parking provision and would maintain sufficient parking of vehicles within the site curtilage for the additional two bedrooms created.

## **9.0 Conclusion**

- 9.1 The proposals have been significantly amended having taken into consideration impact on neighbour amenities. The proposed front, side and rear extensions through their siting, height and mass would not have an overbearing visual impact nor adversely affect neighbouring amenities in respect of outlook, overbearing and loss of light/sunlight.
- 9.2 The introduction of a bedroom in the roof space with a rear dormer window would not prejudice the amenities in respect of overlooking into gardens of adjoining properties and therefore, residents can reasonably continue to enjoy their garden space.
- 9.3 There is sufficient off-street parking for a four-bedroom dwelling. The proposal is in accordance with the policies of the development plan.

## **10.0 Detail recommendation**

- 10.1 That planning permission be granted for application 18/001458/FUL subject to conditions to include:
- Matching materials



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<b>Planning application no.</b>	19/00298/FUL	
<b>Site</b>	18 Nethy Drive, Wolverhampton, WV6 8TF	
<b>Proposal</b>	Single and double storey front extensions and internal alterations (resubmission of 18/01252/FUL)	
<b>Ward</b>	Tettenhall Regis;	
<b>Applicant</b>	Mr and Mrs Siarkiewicz	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Megan Benbow	Planning Officer
	Tel	01902 555625
	Email	megan.benbow@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

1.1 Grant subject to conditions.

## **2.0 Application site**

2.1 The application site is a two-storey detached house. The street scene is characterised by a mixture of detached two storey houses and bungalows and is located in an area which is wholly residential in character.

## **3.0 Application details**

3.1 The proposal is a resubmission of a scheme (18/01252/FUL) which was previously approved by the Planning Committee on 15<sup>th</sup> January 2019 that seeks planning permission for single and double storey front extension with a change in the approved design which includes 3 elements of change:

- Approved hipped roof modified to be of a gabled design.
- Forward projection adjacent to No.20 reduction in ground floor projection from 1.5m to 90 cm, first floor to remain as approved.

- Forward projection adjacent to No.16 reduction in ground floor projection from 2.9m to 2.3m, the first floor to remain as approved.

#### **4.0 Relevant policy documents**

##### **4.1 National Planning Policy Framework (NPPF)**

The Development Plan  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Tettenhall Neighbourhood Plan

#### **5.0 Publicity**

- 5.1 One objection was received which states the proposal will have an 'impact to their property' however the issues of concern have not been specified.

#### **6.0 Consultees**

- 6.1 No consultees.

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report (LD/08052019/T)

#### **8.0 Appraisal**

- 8.1 The principle of development is acceptable as the amended plans have demonstrated a reduction in the forward projection at ground floor level and that the first floor is to be the same as previously approved.
- 8.2 The proposed layout, design and external materials on the amended plans are in keeping with the character of the existing dwelling and the appearance of the street scene.

#### **9.0 Conclusion**

- 9.1 The proposed development is acceptable and would not cause any undue adverse impact on neighbour amenities. The proposed development is in accordance with the policies of the development plan.

#### **10.0 Detail recommendation**

- 10.1 Grant subject to conditions including:

- Materials as specified on the plans
- Bathroom window located within Bedroom 1 to be obscurely glazed at level 4 and maintained as such in perpetuity.



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<b>Planning application no.</b>	18/01479/FUL	
<b>Site</b>	29-31 Coronation Road, Ettingshall, Wolverhampton, WV14 0HR	
<b>Proposal</b>	Change of use of part of building into a takeaway (use class A5)	
<b>Ward</b>	Ettingshall;	
<b>Applicant</b>	Mr Khala & Mrs Kaur	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Kirsty Hodson	Planning Officer
	Tel	01902 551358
	Email	Kirsty.Hodson@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

### **1.1 Refuse**

## **2.0 Application site**

- 2.1 The site consists of an existing A1 retail shop between a pair of semi-detached residential properties on the junction of Coronation Road and Bagnall Road. The first floor of the shop is residential. The rear service yard is gated on either side.

## **3.0 Application details**

- 3.1 The application is to subdivide the existing shop to provide a takeaway next to 27 Coronation Road. The proposed opening times would be 12:00 – 22:00 Monday to Saturday. The application originally had a parking area to the rear; however, residents were concerned that due to the higher level of the site to neighbouring gardens that opening this area to parking could lead to unacceptable noise levels and the potential for increased antisocial behaviour. The parking provision was removed from the application. Bin storage is proposed between the proposed takeaway and 27 Coronation Road.

#### **4.0 Relevant policy documents**

- 4.1 Revised National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Hot Food Takeaway SPD

#### **5.0 Publicity**

- 5.1 Three objections have been received from residents raising the following concerns: antisocial behaviour, odour, noise, litter, impact on parking provision and questioning the need for a takeaway in this location.
- 5.2 Ettingshall Ward Councillors have also raised the following concerns: Noise/Antisocial behaviour/smell/proximity to Ettingshall Primary School

#### **6.0 Consultees**

- 6.1 Transportation: Object – no off-street parking available for staff has been provided.

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report (LD/02052019/H).

#### **8.0 Appraisal**

- 8.1 The proposed hot-food takeaway would be detrimental to the amenities of surrounding residential occupiers through smells, increased noise and disturbance, particularly at peak levels of activity being in the evening or late at night.
- 8.2 The provision of a hot-food takeaway in this predominately residential context would change the character of the area through increased noise levels generated by customers in the vicinity of residential properties particularly adjoining the boundary of 27 Coronation Road and from associated traffic.
- 8.3 There is a forecourt area in front of the unit which will allow for some customer on-street parking, however, there is insufficient off-street parking for staff. The proposal is therefore likely to result in an unacceptable level of on street parking and have a detrimental effect on the free and safe flow of traffic on the adjacent highway.

#### **9.0 Conclusion**

- 9.1 The provision of a takeaway in this residential context will result in unacceptable levels of disturbance and smells and will significantly change the character of the area. There is

also insufficient parking provision to support the proposed use. The application is contrary to policies ENV3 and saved policies EP1, EP5, H6, AM12 AM15 of the UDP.

## 10.0 Detail recommendation

### 10.1 Refuse

- Impact on neighbouring residents – smells, increased noise and disturbance
- Impact on character of the area.
- Insufficient parking provision



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<b>Planning application no.</b>	18/00911/FUL	
<b>Site</b>	Land at Cross Street North	
<b>Proposal</b>	Incinerator Bottom Ash Recycling Facility	
<b>Ward</b>	Bushbury South and Low Hill;	
<b>Applicant</b>	Ballast Phoenix Limited	
<b>Cabinet member with lead responsibility</b>	Councillor John Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Phillip Walker	Senior Planning Officer
	Tel	01902 55 5632
	Email	phillip.walker@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

- 1.1 Delegated authority to grant subject to receiving no overriding objections from residents to the amended plans, receipt of amended plans for a landscape bund, conditions and a Section 106 agreement.

## **2.0 Background**

- 2.1 In November 2017 planning permission (15/01421/FUL) was granted for an Incinerator Bottom Ash (IBA) Recycling facility at this site, with the capacity to recycle up to 150,000 tonnes of Incinerator Bottom Ash (IBA) per annum. That permission has not expired. However, the intended operator of the facility has withdrawn.

## **3.0 Application site**

- 3.1 The application site comprises a vacant piece of former industrial land of 2.2ha in size. The site is bounded by the Cannock Road, Cross Street North, City of Wolverhampton Council Incinerator, a vehicle dismantler business, and the Wolverhampton Canal. The surrounding uses are predominantly industrial. The Wolverhampton Locks Conservation Area forms the eastern boundary. Listed canal locks are immediately east of the site.

## **4.0 Application details**

- 4.1 The proposed recycling facility would have the capacity to recycle up to 200,000 tonnes of IBA per annum. IBA is a non-hazardous product left over when household and industrial waste is incinerated. It comprises a mix of materials, including ferrous and non-ferrous metals, brick, glass, rubble, concrete and ceramics. The recycling process would produce an aggregate which is used in construction. IBA would be delivered to the site by HGV.
- 4.2 The proposed facility would comprise a process plant building with offices. There would also be large areas of external storage and a drainage attenuation pond. Access would be from Cross Street North. The site would be enclosed by walls, railings, metal screens and soft landscaping. Ten people would be employed on site.
- 4.3 There are a number of key differences and similarities between the permitted and proposed schemes.
- 4.4 The proposed facility would have the capacity to recycle up to 200,000 tonnes of IBA per annum, compared to 150,000 tonnes per annum for the permitted scheme.
- 4.5 The proposed process plant building would be positioned roughly within the middle of the site, as opposed to the northern part of the site as permitted. The proposed process plant building would be 3.7 metres taller (at its highest point) than the previously approved process plant building, however its floor area would be 693 sq.m smaller.
- 4.6 The proposed scheme no longer includes three buildings for the storage of aggregate IBA material. Instead there would be more material stored externally, and the stockpiles would be taller than those previously permitted, up to 12 metres, compared to up to 8 meters. The screen walls would be up to 9 metres tall.
- 4.7 The permitted scheme proposed a landscape buffer within the southern part of the application site and near to Cannock Road. The new application no longer includes the landscape buffer, and instead proposes to use this part of the site for external storage.
- 4.8 The new application site is smaller than the site area that comprised the previously permitted scheme. This is because a strip of land previously forming a part of the application site area, adjacent to the junction between Cross Street North and Cannock Road, is not now included in the application site. Both the permitted and approved schemes require the transfer of this land to enable highway improvements, and the transfer of the land can be secured through a Section 106 agreement.

## **5.0 Relevant policy documents**

- 5.1 National Planning Policy Framework (NPPF)

- 5.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Stafford Road Corridor Area Action Plan (AAP)

## **6.0 Publicity**

- 6.1 Councillor Peter Bilson wrote confirming that he had received two verbal objections relating to environmental pollution, noise and access concerns.

## **7.0 Consultees**

- 7.1 Environment Agency – no objection.
- 7.2 Environmental Health and Transportation see main body of report.
- 7.3 Canal & River Trust – Object and state that, the proposals would have a negative impact on the character, setting and visual appearance of the Lock Conservation Area and Listed Locks. They are also concerned about the impact on the stability of the bank and wall adjacent to the canal, as well as noise and air quality impacts, which they say would result in adverse impacts to the canal and its users.

## **8.0 Legal implications**

- 8.1 Planning obligations must meet the following tests. They must be:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
- (LD/09052019/E).

## **9.0 Appraisal**

- 9.1 The key issues are:-
- Principle of Development
  - Layout
  - Amenity
  - Heritage and Archaeology
  - Transport
  - Stability of Canal Bank and Walls

Principle of Development

- 9.2 The site benefits from an extant planning permission for an Incinerator Bottom Ash Recycling facility. The principle of the development proposal is therefore acceptable.

#### Layout and Appearance

- 9.3 Roughly at the centre of the site would be the process plant building and staff car parking. The building would be constructed from metal cladding and be a maximum height of 16 metres (12.8m eaves height), 55 metres long and 30.2 metres wide.
- 9.4 Aggregate material retrieved from the IBA, and any non-recyclable product would be stored externally. Stockpiles would have maximum heights of between 8 metres and 12 metres. The boundary walls and screens would be up to 9 metres. The scale of the development proposal is akin to large canalside industrial uses, and is consistent with, though smaller than, the size of the incinerator to the north.
- 9.5 A landscape bund and planting is required within the southern part of the site to mitigate the impact of the development proposal on the character and visual appearance of the surrounding streetscene, including the Cannock Road, a main arterial route into and out of the City Centre. Amended plans are awaited.

#### Amenity

- 9.6 The closest dwellings to the site are 80m to the east on Badger Drive. The applicants have demonstrated that the proposed facility would not have a significant impact on the amenity of residents either by noise, odour or dust. The majority of noisy operations would take place within the process building. The acoustic cladding to the process building, and the acoustic screening and landscape buffers would further limit noise impacts to local residents. Odour from IBA is negligible, whilst any dust would be managed by mitigation measures including dampening down the stockpiles.
- 9.7 The Environment Agency would be the environmental regulator of the facility and they have no objection to the proposal. The proposal is compatible with neighbouring uses owing to distance separation, building design, hard and soft landscaping and operational management.

#### Heritage and Archaeology

- 9.8 When considering a planning application there is a statutory requirement to consider the desirability of preserving or enhancing the character and appearance of a conservation area and to have special regard to the desirability of preserving the setting of the listed structures. Any harm to the heritage assets must be measured against the public benefits of the proposals as set out in para 134 of the NPPF.
- 9.9 The proposals would introduce new landscaping alongside the Wolverhampton Locks Conservation Area and listed canal locks. The landscaping would provide a green buffer between the IBA mounds, the Conservation Area and Listed Locks. The buildings, stockpiles and screen walls would be clearly visible from the conservation area but would be of an industrial scale in keeping with the context of the land on the west side of the canal. The harm to the conservation area and listed locks is less than significant.
- 9.10 The public benefits of the proposals including recycling, redevelopment of a brownfield site, and a reduction in IBA landfill, outweigh the less than significant harm to the heritage assets.

- 9.11 There was two canal basins within the site. The application includes geotechnical information which suggests that the basins no longer exist. The eastern part of the process building would be built over a part of the site where the former canal basins were located. This is acceptable subject to a condition requiring an archaeological watching brief.

#### Transport

- 9.12 The figures shown in the Transport Assessment are quoted as being the worse-case scenario and indicate six vehicle movements in and six vehicle movements out of the site per hour. Whilst these figures are relatively low, the additional traffic could have a significant impact upon Cross Street North and also its junction with Cannock Road.
- 9.13 The Cannock Road Highway improvement Line includes a strip of land on the southern edge of the site. The applicants have agreed to transfer ownership of this strip of land, as mitigation which is required for a junction improvement scheme to be undertaken at the Cannock Road and Cross Street North junction. This is required to improve the turning movements for larger vehicles entering and exiting Cross Street North, to reduce the impact on the free flow of traffic on Cannock Road and to improve pedestrian safety. This requirement can be secured by a Section 106 agreement.
- 9.14 Staff parking totalling 13 spaces is sufficient for staff plus any visitors.

#### Renewable Energy

- 9.15 There would be 150sqm of photo voltaic panels on the process building making a contribution towards the renewable energy requirements set out in policy ENV7 of the BCCS.

#### Stability of Canal Bank and Walls

- 9.16 The nearest part of the process plant building would be 25 metres from the canal bank. This would be a sufficient distance away to not have any harmful impacts on the stability of the canal bank or walls. Along the eastern boundary, new retaining walls are proposed, to retain stockpiles of material that are either awaiting processing or distribution following processing. The application is supported by information which indicates the erection of retaining walls in this location can be carried out without having a detrimental impact upon the stability of the canal bank and its walls.

## 10.0 Conclusion

- 10.1 The proposed development makes use of a previously developed site. It would locate a waste recycling facility alongside an existing IBA generator (the Council incinerator), processing and recycling waste close to the source and minimising the use of landfill. The design, layout and mitigation measures would negate amenity impacts for the nearest residents to the site. The landscaping scheme would offer a measure of visual separation between the site and the heritage assets on the eastern boundary. The less than substantial harm to the conservation area and the listed locks are outweighed by the public benefits of the facility. Subject to receiving no objections from neighbours in respect of the process plant amended plans and receipt of satisfactory proposals for a

landscape bund and planting within the southern part of the site, the proposals are acceptable and in accordance with the Development Plan.

## **11.0 Detail recommendation**

11.1 That the Strategic Director Place be given delegated authority to grant planning application 18/00911/FUL subject to:

(i) A Section 106 agreement for the following:

- Transfer of land strip adjacent to Cross Street North and Cannock Road junction
- £3600 maintenance sum for landscape works to the strip of land

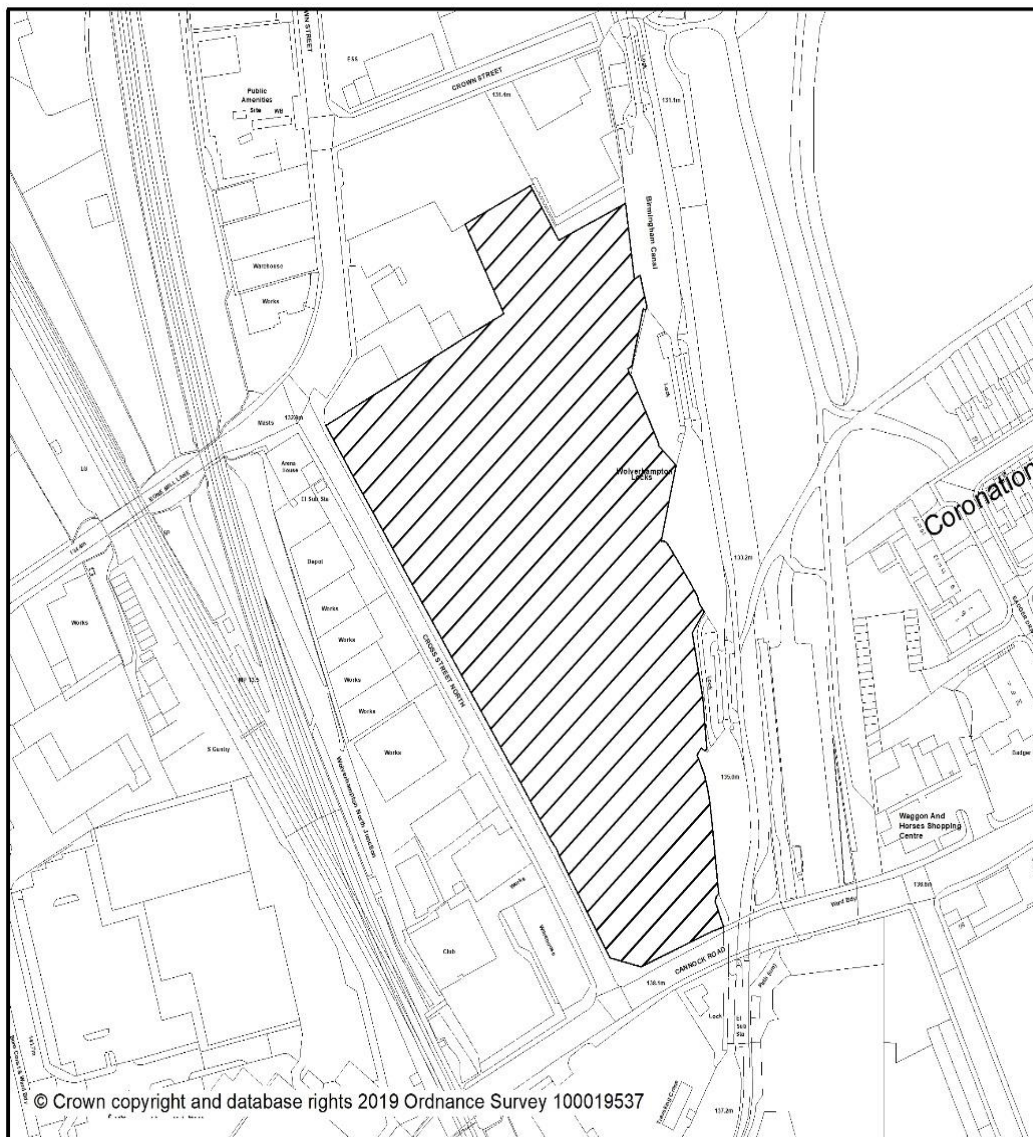
(ii) No overriding objections received from neighbours in respect of the amended process plant drawings;

(iii) Receipt of acceptable plans for a landscape bund and planting within the southern part of the site;

(iv) Any appropriate conditions including:

- Use restricted to IBA and no other waste activity;
- 10% renewable energy;
- No additional openings in process plant building;
- Details of external loading hopper;
- External Materials including hard surfacing;
- Implementation of landscaping including the land strip alongside canal;
- Full details of boundary treatments including, fencing, security fence panels, access gates, acoustic / metal screens and retaining walls;
- Lighting layout;
- Details of material pens;
- Provision of acoustic screens;
- Requirement to damp down externally stored IBA product;
- Site levels;
- Drainage details;
- Raw and aggregate material shall only to be stored in those areas shown on the approved plans;
- Raw material stockpiles to be no taller than 8 metres;
- Aggregate / product material stockpiles to be no taller than 12 metres;
- Traffic Regulation Orders;
- Archaeological watching brief;
- Provision and retention of car parking;
- Bin stores;
- Cycle stores;
- Electric vehicle charging points;
- Hours of construction;
  - 0800 to 1800 Monday to Friday
  - 0800 to 1300 Saturday,
  - at no time on Sundays or Bank and Public Holidays.
- Hours of processing and handling of IBA on site:

- 0700 to 2100 Monday to Friday
- 0700 to 1600 Saturday,
- at no time on Sundays or Bank and Public Holidays.
- Hours of deliveries and despatch:
  - 0700 to 1800 Monday to Friday
  - 0800 to 1600 Saturday,
  - at no time on Sundays or Bank and Public Holidays.
- Additional hours for maintenance operations only:
  - 1300 to 1700 Saturdays



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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 21 May 2019</b>
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<b>Planning application no.</b>	19/00134/FUL	
<b>Site</b>	38 Highlands Road, Wolverhampton, WV3 8AH	
<b>Proposal</b>	Two storey side extension	
<b>Ward</b>	Merry Hill;	
<b>Applicant</b>	Mr & Mrs Joshi	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Veronica Russell	Planning Officer
	Tel	01902 552790
	Email	Veronica.Russell@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

- 1.1 Grant subject to conditions

## **2.0 Application site**

- 2.1 The application site consists of a large detached house and garden set in the middle of Highlands Road. The house is set back from the footpath, beyond its neighbour at 36 Highlands Road and on a bend in the road, so the rear gardens are splayed and spacious in character.
- 2.2 Highlands Road is a wholly residential area and is typified on the north west side of the road, by large detached houses situated within large plots.

## **3.0 Application details**

- 3.1 The proposal is for a two-storey side extension and hipped roof to match the existing to provide a ground floor dining room, bathroom and utility room and first floor bedroom.
- 3.2 The extension would be in line with the original forward projecting bay at ground floor and set back 1.5m in line with the original house on the first floor. The ground floor would

project 1.35m at the rear to join a recently approved extension which has not yet been constructed. The first floor would not extend beyond the rear of the original house.

- 3.3 The application has been amended since its original submission and has been brought in from the boundary, enough to ensure there is no overhanging of guttering. The first floor has been set back 2m and the proposed ridge height is 200mm lower than the original roof. The applicant has also included obscure glazing on the rear facing first floor window.

#### **4.0 Planning History**

- 4.1 18/01485/FUL - Rear two storey and single storey extension. Granted on 24<sup>th</sup> January 2019.

#### **5.0 Relevant policy documents**

- 5.1 National Planning Policy Framework (NPPF)  
The Development Plan  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Supplementary Planning Guidance No.4 (Extension to Houses).

#### **6.0 Publicity**

- 6.1 One letter of objection from the neighbour at 36 Highlands Road has been received and their concerns are:

- Over-development of the site.
- Over-bearing impact
- Roofline proposed is continuous
- Proposed extension will block the view of the trees in the rear garden from the street.
- Breach line of view from neighbour's primary window.
- Additional extension is un-necessary
- Proposal will create a bridging affect

- 6.2 The neighbour has asked to speak to Planning Committee.

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report(LD/09052019/P)

#### **8.0 Appraisal**

- 8.1 The adjacent property No. 36 Highlands Road is situated to an angle and is the north east of the application site. The application property is 'set back' from No. 36 and is at an angle North West facing. The extension proposal will extend up to the boundary with

no.36, adjacent to a small outdoor space and single storey conservatory which has a solid wall on the side and is between 2.5m and 3m (due to the splayed boundary) from the boundary. It is not considered that the two-storey extension would have a detrimental impact on this outdoor space or conservatory given the orientation of the sun and the overshadowing already affecting the neighbour from the original house.

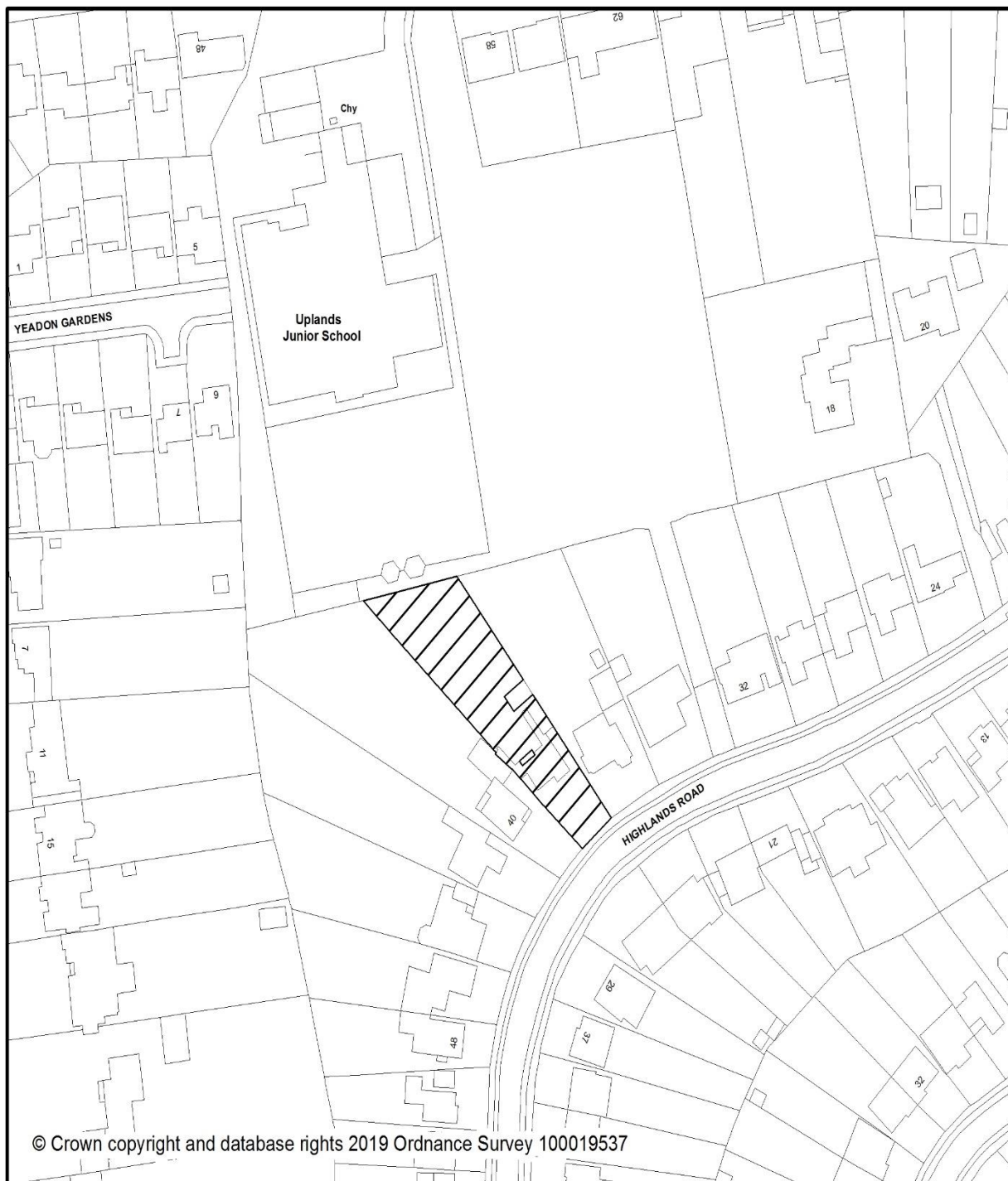
- 8.2 No. 36 has a first-floor bedroom window approx. 4 metres from the boundary with the application site. As a result of the set back of the proposed extension it will be in the line of sight of this habitable room however its view is oblique due to the splayed relationship between the properties. While the outlook will change, it is not considered to be detrimentally harmful to the amenities of the occupier.
- 8.3 The extension would extend up to the boundary with the neighbour and reduce the gap however, because the house is set back, and the plots are splayed, and it still provides an openness and does not erode the established character.
- 8.4 The proposed first floor has been amended and is now set back 2m from the front and the roofline lowered a corresponding amount, so it is now lower than the ridge of the original house. The proposed two storey extension would appear subordinate to the main dwelling which is acceptable in design terms and in accordance with SPG4 – Extensions to Houses.
- 8.5 Overall, the proposal scale and massing are proportionate with the original house and the design would be in keeping with the established character of Highlands Road.

## **9.0 Conclusion**

- 9.1 The proposal would not result in an adverse effect or harm to the amenities of the adjacent neighbour and the size and scale of the extension is in proportion and character with the original house and therefore is in accordance with development plan policies.

## **10.0 Detail recommendation**

- 10.1 That planning application 19/00134/FUL is granted subject to the following conditions:
- Matching materials
  - No additional windows or other form of opening above ground floor level shall be introduced into the side elevation.
  - First floor rear window obscurely glazed



<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 21 May 2019</b>
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<b>Planning application no.</b>	19/00106/FUL	
<b>Site</b>	Land To The Rear Of 45 Rookery Road, Wolverhampton.	
<b>Proposal</b>	Erection of 8 apartments and 4 houses to include remedial, access works and landscaping.	
<b>Ward</b>	Spring Vale;	
<b>Applicant</b>	Mr Martin Howell (Ultra Developments)	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Vijay Kaul	Senior Planning Officer
	Tel	01902 553791
	Email	Vijay.Kaul@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

- 1.1 Grant subject to S106 Agreement

## **2.0 Application site**

- 2.1 The application comprises of an area of undeveloped land to the rear of 29 to 45 Rookery Road. It slopes upwards from east to west. Beyond the western boundary, there is an electricity pylon with power lines extending easterly across the site.
- 2.2 Access is from Bayliss Avenue, a narrow residential cul-de-sac off Rookery Road.
- 2.3 There is a larger open space to the south of the site which had outline planning permission for a care home but that has now expired.
- 2.4 Land to the rear of 41-54 Beach Avenue and 51 - 59 Brynmawr Road, is beyond the western boundary, this benefits from outline planning permission for up to three dwellings.

### **3.0 Application details**

- 3.1 The application proposes 4 detached dwellings and 8 two-bedroom apartments in two separate blocks.
- 3.2 The houses would have two full storeys with rooms in the roof space, the apartments would be spread over two storeys.
- 3.3 The houses would be served by private gardens and the apartment block would have a communal garden.
- 3.4 Planning permission (17/01495/FUL) has been granted for 10 dwellings immediately adjoining the eastern boundary of the application site. The current proposal has been designed in conjunction with this scheme, providing an overall development of 22 units, and a mix of dwelling types.

### **4.0 Relevant policy documents**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)

### **5.0 Publicity**

- 5.1 Six letters of objection were received, summarised as follows;
  - Increased traffic and adverse impact on highway safety.
  - Harmful to character of the area
  - Land not suitable - mine shafts, drainage problems, water/gas supply and electricity pylons.
  - Loss of privacy due to land level and height of buildings.
  - Increased noise disturbance and light pollution.
  - Detrimental impact on wildlife.

### **6.0 Consultees**

- 6.1 Environmental Health: No objection subject to condition(s) requiring scheme to deal with land contamination.
- 6.2 Drainage / Flood Risk: No objection subject to condition requiring detailed surface water drainage scheme
- 6.3 Transportation: No objection subject to conditions.
- 6.4 Coal Authority: No objection subject to a condition requiring a further site investigation and if necessary remediation measures.

6.5 Western Power Distribution: No objection subject to informative about working practices and clearances.

6.6 Severn Trent Water: No objection subject to a condition requiring drainage details

## **7.0 Legal implications**

7.1 There are no legal implications arising from this report (LD/08052019/K)

## **8.0 Appraisal**

8.1 Previous planning permissions establish the principle of residential development on this site although each planning application must be determined on its own merits.

8.2 To provide adequate access to the development Bayliss Avenue must be widened to provide 1.8m wide footways and an overall highway width of 5.5m. Such an improvement was approved as part of permission 17/01495/FUL. Although it is not part of the current application, this improvement could be required by a negatively worded "Grampian" condition.

8.3 The proposed building heights are acceptable when viewed in conjunction with surrounding land form and development. The external design respects the local character and would contribute to the varied dwelling types already found in the area.

8.4 The proposed houses would be at least 24.5m away from those fronting Bayliss Avenue. This exceeds the Council's minimum separation standard of 22m. This separation distance, together with proposed boundary treatments, would be sufficient to protect the privacy of neighbours. This development would be screened from dwellings fronting Rookery Road by the 10 dwellings already approved.

8.5 Proposed parking would comprise of two parking spaces per house, one space per apartment with visitor parking and motor cycle bays, a cycle store would be secured by condition. This would be acceptable.

8.6 Taken on its own, the current proposal would not trigger a requirement for affordable housing. However, it is proposed to develop this site in conjunction with the adjoining site, which would result in a development of 22 dwellings, for which there would be a requirement for 25% affordable. A Section 106 agreement is required, to cover the combined development, to comply with the policy requirement for affordable housing. This meets the relevant legal tests (necessary to make development acceptable, directly related to development and fairly and reasonably related in scale and kind to the development).

## **9.0 Conclusion**

9.1 The proposed development is acceptable and in accordance with the development plan subject to conditions and completion of a S106 agreement.

## **10.0 Detail recommendation**

10.1 That the Strategic Director Place be given delegated authority to grant planning application 19/00106/FUL subject to:

(i) Section 106 Agreement to secure:

- Provision of 25% Affordable Housing (for this development and 17/01495/FUL)

(ii) Subject to any appropriate conditions including (but not limited to):

- External materials.
- Levels.
- Construction Management Plan (inc operational hours).
- Land contamination and ground gas.
- Intrusive site investigation (coal mining).
- Drainage.
- Landscaping.
- Boundary treatments and retaining structures.
- Electric charging points.
- Renewable energy.
- No external lighting without approval.
- Remove PD rights for rear extensions and dormers.
- No more than three dwellings (across either development site) to be occupied prior to Bayliss Avenue Road widening.
- 1.8m footway on both sides of widened road.
- Long-term Landscape Management Plan
- Bin store
- Cycle store details





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<b>Planning application no.</b>	19/00062/FUL	
<b>Site</b>	38 Riley Crescent, Wolverhampton, West Midlands, WV3 7DS	
<b>Proposal</b>	Erection of two semi-detached three bedroom houses on land formerly used as a builder's yard (rear of no.38), associated landscaping works and the demolition of single storey extensions at 38 Riley Crescent with associated remedial works.	
<b>Ward</b>	Graiseley;	
<b>Applicant</b>	Mr J Singh	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Kirsty Hodson	Planning Officer
	Tel	01902 551358
	Email	Kirsty.Hodson@wolverhampton.gov.uk

## **1.0 Summary recommendation:**

1.1 Grant subject to conditions

## **2.0 Application site**

2.1 38 Riley Crescent is a two storey locally listed building and set within the Penn Fields Conservation Area used as apartments. A private access road leads to the rear of the site which is currently vacant, following demolition of outbuildings used as a builders yard. The site is a similar level to 37 Riley Crescent and gradually slopes down towards the boundaries of 14a-16 Beckminster Road.

## **3.0 Application details**

3.1 A pair of coach house style properties are proposed to the rear of 38 Riley Crescent in a similar position and scale to the previously approved application for a four-bedroom detached dormer bungalow and garage (11/01127/FUL).

- 3.2 Parking will be provided to support both the two proposed properties and will formalise the parking arrangement for the apartments at 38 Riley Crescent.
- 3.3 The proposal has been amended to move the building away from the neighbouring property 37 Riley Crescent, windows have been removed from the side elevation and restricted to roof lights to protect the privacy of this neighbour and Juliet balconies on the principle elevation have also been removed.

#### **4.0 Relevant policy documents**

- 4.1 National Planning Policy Framework (NPPF)  
Wolverhampton Unitary Development Plan (UDP)  
Black country Core Strategy (BCCS)

#### **5.0 Publicity**

- 5.1 Following amendments to windows facing 37 Riley Crescent: 3 Objections were received raising the following:
- Amendment addressed issue of overlooking to 37 Riley Crescent but object to the loss of light
  - Overlooking
  - Level differences
  - Loss of fruit trees
  - Existing parking problems on Riley Crescent at peak times
  - Increase in traffic on Riley Crescent
- 5.2 Following amendments to the position of the development, at the time of publishing the report no formal objections have been received.

#### **6.0 Consultees**

- 6.1 Transport: No objection  
6.2 Conservation: No objection

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report (LD/09052019/R)

#### **8.0 Appraisal**

- 8.1 Riley Crescent is predominately residential, and it is considered the redevelopment of this site for a similar use would enhance the character of the area.
- 8.2 The design of the development has been carefully considered through a modern interpretation of a coach house relating to its historic context. An indicative landscaping

scheme has been provided which shows the retention of some trees with the lawn area to the side of 38 Riley Crescent. The site is not clearly visible from Riley Crescent however, the design and appearance of the proposal will improve views into the site, enhancing the character of the Conservation Area.

- 8.3 The partial demolition of 38 Riley Crescent will remove a modern addition and enhance the locally listed building.
- 8.4 The scale of the development has been respectful to adjacent residential properties and the level differences with a low eave and ridge height, like the previously approved scheme. The amended position of the coach houses provides a suitable distance separation between neighbouring boundaries. The hipped roof sloping away from 37 Riley Crescent and 14a-16 Beckminster Road further reduces any overbearing impact.
- 8.5 There is a ground floor window serving an ensuite in the side elevation facing the rear gardens of Beckminster Road and the distance separation is acceptable between the window in the side gable nearest 37 Riley Crescent and these properties. The ground floor windows facing 37 Riley Crescent are non-habitable windows, the ensuite window at first floor and the roof light serving the study would be obscurely glazed and non-opening below 1.7m. There is also an acceptable distance separation between the development and the neighbours to the rear of the application site. The development will therefore not materially impact neighbouring residents.
- 8.6 The site layout will improve the current parking arrangement by formalising a shared parking area for the existing apartment building and the two residential properties proposed. The provision of two three-bedroom properties is unlikely to materially increase the traffic on Riley Crescent and will not cause significant harm to the adopted highway. An area for bin storage is outlined in the site layout. A sufficient amount of garden space is provided to support properties of this size.

## **9.0 Conclusion**

- 9.1 The proposed redevelopment of this site for residential development will enhance the character of the Penn Fields Conservation Area. The design, scale and appearance of development will respect and relate to its historic context and will not materially impact neighbouring residents. Sufficient amount of parking and amenity space is provided to support the two new properties. The application is compliant with the development plan.

## **10.0 Detail recommendation**

- 10.1 Grant planning permission subject to conditions
- Details of boundary treatments
  - Landscaping scheme
  - Joinery details
  - Level plan
  - Bin storage details

- Materials
- Parking and access as shown on plan
- Construction working hours
- Remove permitted development rights for extensions/outbuildings/first floor windows
- First floor windows obscure glazed/non opening 1.7m
- Electric vehicle charging point.

