



Planning Committee

23 May 2017

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory

Venue Committee Room 3 - 3rd Floor - Civic Centre

Attendance

Members of the Planning Committee

Chair

Vice-chair

Labour

Conservative

Quorum for this meeting is four Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact Helen Tambini
Tel/Email Tel 01902 554070 or email helen.tambini@wolverhampton.gov.uk
Address Democratic Support, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website <http://wolverhampton.moderngov.co.uk>
Email democratic.support@wolverhampton.gov.uk
Tel 01902 555043

Please take note of the protocol for filming, recording, and use of social media in meetings, copies of which are displayed in the meeting room.

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

PLEASE NOTE THAT MEMBERSHIP OF THE PLANNING COMMITTEE WILL BE CONFIRMED AT THE ANNUAL COUNCIL MEETING ON 17 MAY 2017.

Agenda

Part 1 – items open to the press and public

| <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting - 25 April 2017 (Pages 3 - 8) [To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising [To consider any matters arising] |
| 5 | 16/01378/FUL - 8 Talbot Road, Wolverhampton (Pages 9 - 12) [To consider the planning application] |
| 6 | 17/00303/FUL - 4-6 High Street, Tettenhall, Wolverhampton (Pages 13 - 16) [To consider the planning application] |
| 7 | 17/00360/FUL - 60 Amos Lane, Wolverhampton (Pages 17 - 20) [To consider the planning application] |

Attendance

Councillors

Cllr Linda Leach (Chair)
Cllr Dr Michael Hardacre (Vice-Chair)
Cllr Greg Brackenridge
Cllr Louise Miles
Cllr Anwen Muston
Cllr Phil Page
Cllr John Rowley
Cllr Judith Rowley
Cllr Wendy Thompson

Employees

| | |
|-------------------|-----------------------------|
| Helen Tambini | Democratic Services Officer |
| Stephen Alexander | Head of Planning |
| Lisa Delrio | Senior Solicitor |
| Ragbir Sahota | Planning Officer |
| Paul Lester | Planning Officer |
| Andrew Johnson | Planning Officer |
| Colin Noakes | Planning Officer |

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were submitted on behalf of Councillors Banger and Yardley.

2 Declarations of interest

There were no declarations of interest.

3 Minutes of the previous meeting - 7 March 2017

Resolved:

That the minutes of the previous meeting held on 7 March 2017 be approved as a correct record and signed by the Chair.

4 Matters Arising

There were no matters arising from the minutes of the previous meeting.

5 17/00246/FUL - New Style Windows, 210 Newhampton Road West, Wolverhampton

The Committee considered a report regarding application 17/00246/FUL, change of use to micro-pub (Use Class A4).

Andrew Johnson, Planning Officer reported on updates to the report since it had been published. An additional petition containing 12 signatures objecting to the proposal had been received, the total of objecting petitioners was now 26. A petition containing 159 signatures in support of the proposal, together with a letter of support from the Campaign for Real Ale (CAMRA) organisation had been received. Additional conditions were recommended restricting patrons to smoking at the rear of the premises, prohibiting smoking at the front of the premises and prohibiting outdoor drinking and beer gardens.

James McCann addressed the Committee and spoke in support of the application.

Councillor John Rowley referred to previous initial concern from local residents when another micro-pub had been established; however, those concerns had soon been allayed and that business was now well supported by the local community and it was hoped that this micro-pub would also provide the same community benefits.

In response to a question regarding parking provision, Tim Philpot, Lead Transport Officer confirmed that based on analysis from a similar establishment it was considered that there would be adequate provision.

Andrew Johnson confirmed that the additional conditions he had referred to would be included.

Resolved:

That planning application 17/00246/FUL be approved subject to the following conditions:

- Hours of operation (maximum 1100hours to 2300hours) and servicing.
- Noise attenuation scheme.
- Refuse storage.
- Restricting patrons to smoking at the rear of the premises.
- Prohibiting smoking at the front of the premises.
- Prohibiting outdoor drinking and beer gardens.

6 16/01435/FUL - 37 Coseley Road, Wolverhampton

The Committee considered a report regarding application 16/01435/FUL, extension to existing hand car wash to cover an area of adjacent grassed land.

A representative of the applicant addressed the Committee and spoke in support of the application.

In answer to a question regarding traffic flows, Tim Philpot, Lead Transport Officer confirmed that if the premises were to be extended it would require the exit for the premises to be moved closer to the roundabout and further information would be required.

Members of the Committee expressed concern that if the proposal was allowed it would result in the loss of a landscaped area along the Black Country Route and although it was acknowledged that the business was sound, the overall environmental impact, including a loss in biodiversity had to be considered.

Resolved:

That planning application 16/01435/FUL be refused for the following reasons:

- The proposal would result in the loss of the landscaped area to the Black Country Route which has a significant area of maturing tree cover. This would exacerbate the effects of climate change and lead to a loss in biodiversity and impact visual amenities.
- The application lacks a noise impact assessment in order to fully appraise the impacts of the proposal on the lack of amenities.
- The application lacks sufficient detail in respect of egress details and visibility, layout/circulation space, retaining wall and drainage details in order to fully appraise the impacts of the proposal on the adjacent highway.

7 16/01407/FUL - Land at 33-37 Victoria Street, Wolverhampton

The Committee considered a report regarding application 16/01407/FUL, erection of new building comprising 18, 1-2 bed apartments with 645sqm of retail space at ground floor level.

Members of the Committee stated that the proposed development would be a significant improvement to the current vacant site which was in a poor condition and should be commended.

Resolved:

That the Service Director, City Economy be granted delegated authority to approve planning application 16/01/01407/FUL subject to:

- (i) Completion of a Section 106 Agreement to secure:
 - Off-site public open space contribution of £30,000 for Canalside Quarter Public Realm Improvements.
 - 25% affordable housing.
 - 10% renewable energy.
- (ii) Any necessary conditions to include:
 - Submission of materials.
 - Details of bin stores.
 - Details of cycle parking.
 - Acoustic glazing to all habitable rooms.
 - Construction Method Statement.
 - Construction Management Plan.
 - Levels.

8 17/00303/FUL - 4-6 High Street, Tettenhall, Wolverhampton

The Committee considered a report regarding application 17/00303/FUL, change of use from shop (Class A1) to wine bar (Class A4).

Paul Lester, Planning Officer reported on updates to the report since it had been published. Additional conditions were recommended to restrict the storage of waste to inside the property only; to prohibit drinking outdoors and to regulate opening hours.

In answer to a question regarding the provision of a smoking area and how the issue of the access and use of the rear of the property would be resolved, Paul Lester confirmed that by imposing a condition to prohibit drinking outdoors it was envisaged that smokers would be discouraged from standing outside. The premises close by were an optician and an estate agents so in the evening it was likely to be quiet with little pedestrian traffic. Regarding the yard, if the applicant was unable to come to an agreement with the owner of the premises at the rear, the additional condition would ensure that any waste would have to be stored inside the premises.

Members of the Committee expressed concern that there was a degree of ambiguity in how the proposed business would operate in respect of opening hours, provision for smoking and access to the rear of the property, including an appropriate access for fire safety and suggested that further clarification on those matters was required.

Paul Lester confirmed that he would seek clarification from the Fire Authority regarding the access issue.

Resolved:

That consideration of application 17/00303/FUL be deferred to allow further dialogue and consultation with the applicant and related parties on the issues raised by the Committee.

9 17/00278/TEL - Severn Trent Water Authority, Regis Road, Wolverhampton

The Committee considered a report regarding an application for prior notification 17/00278/TEL, the installation of a 15m green monopole with 3 antennas and 1 microwave dish, 3 equipment cabinets and a meter cabinet within a fenced compound and works ancillary thereto.

Ragbir Sahota, Planning Officer, reported on updates to the report since it had been published. It had been confirmed that if the existing mast was to be shared the height of the mast would have to be increased to such an extent that it would be visually detrimental and therefore the application for the second mast had been submitted. The street furniture/fire tower was also not appropriate to house any telecommunications equipment and its height would make it visually more prominent.

In answer to a question he confirmed that a similar application at a different site was refused by Committee on the grounds of visual intrusion; however, the Council had lost on appeal. He confirmed that this application was less visually intrusive.

Councillor John Rowley stated that although he understood the concerns of local residents, the site would be well screened and the environmental impact would not be significant.

Councillor Thompson expressed concern that an additional mast so close to an existing mast was not ideal and it would be more appropriate to consider modifying

the existing mast. However, if an additional mast was required additional screening to reduce the visual impact should be considered.

Councillor Miles expressed concern that this application had generated considerable public interest; however, due to the tight deadline, the Committee had to make a decision today and it was requested that timescales were reviewed.

Stephen Alexander, Head of Planning confirmed that if the existing mast was modified it would be considerably higher and visually intrusive. The additional mast would be more acceptable in terms of visual amenity. He also confirmed that if this was refused it was probable that the Council would lose on appeal.

Lisa Delrio, Senior Solicitor confirmed that under the Council's Constitution applications were decided by delegated authority. This application had come before the Committee due to the large number of objections from local residents.

Resolved:

That prior approval be granted.

This page is intentionally left blank



Planning Committee

Tuesday, 23 May 2017

| | | |
|--|--|--|
| Planning application no. | 16/01378/FUL | |
| Site | 8 Talbot Road, Wolverhampton, WV2 3EW | |
| Proposal | Change of use from dwelling house to two, self-contained one bed flats | |
| Ward | Blakenhall | |
| Applicant | Mrs S R Akhtar | |
| Cabinet member with lead responsibility | Cabinet Member for City Economy, Councillor John Reynolds | |
| Accountable Director | Keren Jones, Service Director, City Economy | |
| Originating service | Planning | |
| Accountable employee | 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 site consists of a two storey, three-bedroom semi-detached property with rear amenity space and additional land adjacent to the property.
- 2.2 The immediate locality is predominantly residential consisting of two storey dwellings.

3.0 Application details

- 3.1 Planning Committee visited the site on 7 March 2017 and found that the site boundary was incorrectly submitted, therefore the application was withdrawn from its consideration. The applicant has now amended the site boundary and submitted a new site layout plan.
- 3.2 There are no changes to the original proposal or the internal layout for the proposed change of use from dwelling house to two self-contained one bed flats, one at ground and one at first floor.
- 3.3 Parking provision is for three off street parking spaces.

- 3.4 The application site includes bin storage, a cycle enclosure and shared rear garden amenity space.

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).
- 4.3 Supplementary Planning Guidance No.3 (Residential Development).

5.0 Publicity

- 5.1 Four objections received. Concerns raised:
- Increase in traffic
 - Noise and disturbance.

6.0 Internal consultees

- 6.1 Transportation
- No objections subject to conditions.
- 6.2 Environmental Health
- No objections.
- 6.3 Housing Standards
- No objections.

7.0 Legal implications

- 7.1 There are no legal implications arising from this report (LD/21022017/C).

8.0 Appraisal

- 8.1 The internal layout of the proposed two self-contained flats complies with habitable floor area standards.
- 8.2 The dwellings within the vicinity of the application site consist of two storey house types. The proposal would not detract from the appearance of the immediate locality and street scene, and relates positively to its surroundings.
- 8.3 Vehicle access is provided to the side of the building and three off street parking spaces would be provided for the flats. The driveway would be constructed with permeable hard surfacing.

- 8.4 The proposal would provide adequate shared garden amenity space for both flats including bin storage, and enclosed cycle storage.
- 8.5 Sound insulation between the two flats and the adjoining dwelling can be dealt with via condition.

9.0 Conclusion

- 9.1 The proposal would make a positive contribution to the site providing additional housing. The proposal would not materially detract from the appearance of the immediate locality and the street scene. Having taken into consideration proposed parking provisions and residential amenities for future occupants, it is considered the proposal would not be harmful to neighbour amenities.

10.0 Detail recommendation

- 10.1 That planning application 16/01378/FUL be granted, subject to the following conditions:
- Implementing parking spaces
 - Implementing bin and cycle storages
 - Implementing garden amenity space
 - Boundary treatments
 - Sustainable drainage
 - Sound insulation
 - Approved layout
 - Hours of operation during construction.





Planning Committee

Tuesday, 23 May 2017

| | | |
|--|--|----------------------------------|
| Planning application no. | 17/00303/FUL | |
| Site | 4-6 High Street, Tettenhall, Wolverhampton WV6 8QT | |
| Proposal | Change of use from shop (class A1) to wine bar (class A4) | |
| Ward | Tettenhall Wightwick | |
| Applicant | Tina Mills | |
| Cabinet member with lead responsibility | Councillor John Reynolds Cabinet Member of City Economy | |
| Accountable Director | Keren Jones, Service Director, City Economy | |
| Originating service | Planning | |
| Accountable employee | Paul Lester | Planning Officer |
| | Tel | 01902 555625 |
| | Email | paul.lester@wolverhampton.gov.uk |

1.0 Summary recommendation

- 1.1 Grant subject to conditions.

2.0 Application site

- 2.1 The application site is a vacant shop located in Tettenhall Village District Centre and Tettenhall Greens conservation area.
- 2.2 There is a yard to the rear of the property, which is in the ownership of the greengrocer business. It has been confirmed that the applicant has a right of access over this area, but cannot use it to store bins or any goods.

3.0 Application details

- 3.1 The application is for the change of use to a wine bar and the removal of one of the two front entrances.

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)
Tettenhall Neighbourhood Plan (TNP).

5.0 Publicity

- 5.1 No comments received at the time of writing this report.

6.0 Consultees

- 6.1 Transportation / Environmental Health / Police – No objections.
6.2 Fire Service – Awaiting comments.

7.0 Legal implications

- 7.1 There are no legal implications arising from this report (LD/11052017/A).

8.0 Appraisal

- 8.1 The unit is located within a district centre where policy TNP3 requires that no more than 30% of units are within non-A1 use classes and no more than three consecutive units are within non-A1 use classes.
- 8.2 Whilst the change of use would not result in three consecutive non-A1 units, the percentage of non-A1 units would be 35%. However, the unit has been vacant and actively marketed since July 2016 and this proposal would bring it back into productive use and promote an active street frontage. An A4 use is appropriate for a district centre.
- 8.3 The nearest dwellings would be approximately 50m away and so the proposed use would not be detrimental to residential amenity. The proposed opening hours and servicing would be controlled by condition.
- 8.4 The application was reported to Committee in April and members resolved that the matter be deferred to allow further dialogue and consultation with the applicant and the neighbours on the issues raised which included creating a smoking area to the rear. Initial discussions have taken place between the applicant and the owner of the rear yard. At the time of writing this report, no agreement has been made regarding the potential to create a smoking area to the rear.
- 8.5 Since the rear yard is under separate control, it is likely that on occasion a small number of customers would smoke outside in front of the premises, on the public highway. This would not unduly impact on the neighbouring A1/A2 businesses. It would be for the Police to act if any laws were broken for example if cigarettes were discarded on the highway.

- 8.6 There is short stay car parking available during the day, both on-street and in car parks which are within close vicinity of the development. Parking restrictions are relaxed during the evening. There is also long stay car parking available, slightly further way but still within easy walking distance.
- 8.7 There is a requirement to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposed development would preserve the character and appearance of the Tettenhall Greens conservation area.

9.0 Conclusion

- 9.1 The proposed development is acceptable and in accordance with the development plan.

10.0 Detail recommendation

- 10.1 That planning application 17/00303/FUL be granted, subject to the following conditions:
- Joinery details of the shopfront
 - No blanking out of the shopfront
 - Store waste inside the property
 - Opening hours – 12:00 to 23:00 Monday to Sunday
 - Deliveries – 08:00 to 18:00 Monday to Saturday and 09:00 to 18:00 Sunday.





Planning Committee

Tuesday, 23 May 2017

| | | |
|--|--|--|
| Planning application no. | 17/00360/FUL | |
| Site | 60 Amos Lane, Wolverhampton, WV11 1ND | |
| Proposal | Change of use from Class C3 dwellinghouse to Class C2 residential care home for up to four young persons | |
| Ward | Heath Town | |
| Applicant | Keys Group Ltd | |
| Cabinet member with lead responsibility | Councillor John C Reynolds Cabinet Member of City Economy | |
| Accountable Director | Keren Jones, Service Director, City Economy | |
| Originating service | Planning | |
| Accountable employee | Paul Lester Tel Email | Planning Officer 01902 555625 paul.lester@wolverhampton.gov.uk |

1.0 Summary recommendation

- 1.1 Grant subject to conditions.

2.0 Application site

- 2.1 The application site is a large five bedroomed detached house in a residential area.

3.0 Application details

- 3.1 The application seeks permission for change of use to a care home for up to four children aged between 11 and 17 years, a use falling within Use Class C2.
- 3.2 During the day four carers would look after the children on a one to one basis. Overnight there would be three on duty. At the end of the day shift, at between 21:00 and 22:00, three of the four-day shift staff would be replaced by two-night shift staff. The remaining staff member from the day shift would stay at the property and sleep overnight. The day shift would then replace the night shift at between 08:00 and 10:00.
- 3.3 There is sufficient parking in front of the property for eight cars. The extensive rear garden would provide amenity space.

3.4 There are no external changes proposed to the property.

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 One objection has been received as well as a 38-person petition. Objections are summarised below:

- Increase in anti-social behaviour
- Increase in noise
- Concern with the occupiers of the property
- Impact on elderly residents living nearby.

6.0 Consultees

6.1 Transport – No objection subject to conditions.

7.0 Legal implications

7.1 There are no legal implications arising from this report (LD/10052017/A).

8.0 Appraisal

8.1 The principle of a small residential care home in this residential area is acceptable and in accordance with UDP policy H11 Special Needs Accommodation.

8.2 The nature and scale of the use proposed is suited to this large detached house, set in an ample curtilage. The number of children proposed would be comparable to the number that could be expected to live in a five-bedroomed family home.

8.3 A condition could limit the number of children to four. Children's care homes are regulated by OFSTED and so will need to meet their normal standards regarding management, security and safety.

8.4 The applicant is proposing eight parking spaces to the front of the property, sufficient for all staff and any visitors to the property. Therefore, there would be no detrimental impact on the highway.

- 8.5 The movement of vehicles as carers arrive and depart at the start and end of shifts would have some minor impact on the amenity of neighbouring properties. Although this would be less than significant and a house of this size, occupied by an extended family, could generate a similar number of traffic movements.
- 8.6 The property is detached and sufficiently separate from the nearest house to not give rise to any undue disturbance to neighbours.

9.0 Conclusion

- 9.1 Subject to conditions the proposal would be acceptable and in accordance with the development plan.

10.0 Detail recommendation

- 10.1 That planning application 17/00360/FUL be granted, subject to the following conditions:
- Number and age of children
 - Car parking layout
 - Cycle parking
 - Bin store.

