

Planning Committee

Tuesday, 21 May 2019

Planning application no.	19/00106/FUL	
Site	Land To The Rear Of 45 Rookery Road, Wolverhampton.	
Proposal	Erection of 8 apartments and 4 houses to include remedial, access works and landscaping.	
Ward	Spring Vale;	
Applicant	Mr Martin Howell (Ultra Developments)	
Cabinet member with lead responsibility	Councillor John C Reynolds	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Vijay Kaul	Senior Planning Officer
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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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