

MINUTES

meeting: **PLANNING COMMITTEE**

date: **8 NOVEMBER 2011**

PRESENT:-

Councillor Judith Rowley (Chair),
Councillors Darke, Mrs Findlay, Hardacre, Hodgkiss, Husted, Leach
Mrs Mills, Sweet, Mrs Thompson and Yardley

OFFICERS IN ATTENDANCE:-

Delivery Directorate

L Delrio - Solicitor
J Wright - Democratic Support Officer

Education and Enterprise Directorate

S Alexander - Head of Building and Development Control
L Barnstable - Service Manager - Transportation
Development
N Edwards - Assistant Director - Prosperity
I Holliday - Section Leader
C Morrison - Section Leader
A Murphy - Section Leader

Wolverhampton
City Council



PART I - OPEN ITEMS
(Open to Press and Public)

104 **Apologies for Absence**

Apologies for absence were received from Councillor Simkins

Declarations of Interest

105 The following interests were declared:-

<u>Agenda Item No</u>	<u>Subject</u>	<u>Councillor</u>	<u>Interest</u>
7	Planning Application 11/00828/FUL	Mrs Mills	Personal – Member of the BSF Member Steering Group
7	Planning Application 11/00828/FUL	Councillor Yardley	Personal – season ticket holder Wolverhampton Wanderers FC
7	Planning application 11/00887/FUL	Councillor Mrs Findlay	Personal – knows the applicant
7	Planning application 11/00887/FUL	Councillor Hardacre	Prejudicial– knows the applicant

Minutes

106 Resolved:-
That the minutes of the meeting held on October 2011 be approved as
a correct record

Matters Arising

107 None

Schedule of Outstanding Minutes (Appendix 30)

108 Resolved that the schedule of outstanding minutes be noted.

Schedule of Planning Applications (Appendix 31)

The Interim Strategic Director for Education and Enterprise
submitted a report which set out a schedule of planning applications to
be determined by the Committee.

**Planning Application 11/00828/FUL Compton Park,
Wolverhampton**

The Head of Development and Building Control reported, inter
alia, that since the report had been written

- The City of Wolverhampton College and Paul Uppal MP had indicated their support for the proposals.
- No objections had been received from the Police and Natural England.
- The transfer of the Aldersley facility to the community could now be given significant weight as the applicant has agreed that the details of how this will be delivered will be secured through the S106 obligation.
- The education contribution payable by Redrow in respect of the housing site should read £2.45m which would be payable in instalments
- A commuted sum was no longer necessary as a package of on-site physical mitigation measures would be secured through a Section 106 obligation.

Mr Phillips spoke in opposition to the application.

Mr Best spoke in support of the application.

Members considered the application. There was recognition that the proposal was “inappropriate development” in the Green belt by definition in PPG2 and the potential harm to the green needed to be considered carefully. There was agreement that the very special circumstances detailed in the report were sufficient to outweigh the harm that may be caused.

Concern was expressed that the amenities of existing residents should be protected during construction and members were informed this could be achieved by the use of appropriate conditions which could be enforced.

- 109 Resolved that the Interim Director for Education and Enterprise be given delegated authority to grant planning application 11/00828/FUL subject to:-
- (i) No overriding objection from the Fire Officer;
 - (ii) Referral and no call-in by the Secretary of State;
 - (iii) Negotiation and signing of a Section 106 Agreement to secure
 - Delivery of the Academy
 - The payment of the education contribution payable in instalments
 - A clawback mechanism to secure future potential development surplus as contribution to off-site Affordable Housing as a result of the District Valuer's report and advice
 - Details of the delivery of the community facilities at Aldersley .
 - (iv) Any necessary conditions to include:-
 - Habitat management plan (including during construction)
 - Materials
 - Remove PD rights for rear boundary fencing (plots 18-22 and 34-38)

- Landscaping (including hard and soft features in the SUDs area)
- External Lighting (including hours of operation)
- Bat boxes, bat bricks in new school building and Academy
- Archaeology
- Arboricultural Method Statement
- Gate to Newbridge Avenue used for bus access only
- Boundary Treatment
- Waste management
- Community Use Agreement
- Site investigation report
- Cycle Parking (St Edmunds School)
- Drainage
- Measures to protect residents during construction
- No loud speaker/public address system
- Renewable energy
- Ventilation and extraction details
- Acoustic glazing
- Acoustic fencing
- Residential Travelwise
- Traffic calming on access road
- Travel Plans implemented
- Traffic Regulation Order Compton Road West
- Car park management plan
- Targeted recruitment and training
- Levels
- Footpath links
 - Bin stores
- Construction traffic
- Hours of deliveries during construction
- Signposting and information boards at the wetland habitat
- Community Use Agreement (for St Edmunds School)

Planning Application 11/00887/FUL 10 Broad Street, Wolverhampton

Having declared interests Councillors Mrs Findlay and Hardacre left the meeting and took no part in the consideration of this item

Mr Sharma spoke in support of the application. He stated that he had not applied for a solid type of shutter as suggested in the report.

The Head of Development and Building Control clarified that the application was for a solid shutter and no amended plans had been received.

Members were in agreement that to assist with consideration of the planning merits of the case, to allow the applicant time to clarify the type of shutter he was applying for and in order to fully understand the security arrangements already in place at the premises it would be appropriate for the Committee to visit the site.

Some members requested that when the report was submitted to the next meeting further details be provided on the applicant's ability to insure the property.

- 110 Resolved that consideration of planning application 10/01266/FUL be deferred to enable a site visit to take place prior to the next meeting of the Committee

Planning Application 11/00568/FUL Land Adjacent To And Rear Of 6, Bridgnorth Road, Wolverhampton

The Section Leader explained why, in his opinion, there were no very special circumstances that would support the granting of the application as required in accordance with the Council's UDP Policy and Government advice..

Mr Che Dan spoke in support of the application.

Some members felt that there were very special circumstances which could enable the application to be granted. The very special circumstances included generation of employment opportunities, improvement of the visual amenity, improving the openness of the area, improving the built environment and improving the environment for neighbouring properties.

- 111 Resolved that planning application 11/00568/FUL be submitted to the Secretary of State, if appropriate, with a recommendation for approval subject to any appropriate conditions to be agreed with the Chair, Vice-Chair and Shadow –Chair.

Planning Application 11/00871/FUL Land At Gatis Street, Including The Victoria, Former Skills Centre And Council Depot, Wolverhampton

The Section Leader reported that the recommendation, especially relating to the proposed section 106 agreement had been updated since the agenda was published.

Mr Williams spoke in support of the application.

- 112 Resolved that the Interim Director for Education and Enterprise be given delegated authority to grant planning application 11/00871/FUL subject to:
- (i) Negotiation of a Section 106 agreement to include:
- Targeted recruitment and training.
 - 11 affordable housing units, provided that the development is substantially complete by 8th December 2014, or 25% affordable housing (or a financial contribution for off-site provision) if it is not.
 - No off-site open space and play contribution, or public art or renewable energy generation (on a pro-rata basis) for all dwellings substantially complete by 8th December 2014, with the full requirement (on a pro-rata basis) for all dwellings that are not.

- (ii) No overriding objections regarding emergency access.
- (iii) Any necessary conditions to include:
 - Materials
 - Landscaping implementation
 - Boundary treatment
 - Measures to reduce impact of construction on residents
 - Drainage
 - Site remediation
 - Site waste management plan
 - Sustainable Travel Information packs for all new residents

Planning Application 11/00904/REM Land Between Planetary Road and, Wednesfield Way, Wolverhampton

113 Resolved that planning application 11/00904/REM be granted

Planning Application 11/00891/FUL Promise House, Stafford Road, Wolverhampton

The Section Leader reported that the agent for Greene King had stated that the company did not wish to have a requirement for public art to be imposed by condition. Members were advised that because of the regeneration benefits that the proposed development would bring, and taking account of the current difficult economic climate, it was now recommended that public art was not required.

Some Members expressed concern at the loss of trees on the site and at apparent lack of available funding for public art. Members debated the merits of public art.

114 Resolved that planning application 11/00891/FUL be granted subject to any relevant conditions including:

- Materials
- Architectural details
- Landscaping
- Boundary Treatment
- Cycle/motorcycle storage and provision of disabled parking
- Travel Plan
- Servicing details
- Bin stores
- Details of vents/flues
- Noise mitigation measures to residential accommodation
- Site Investigation
- Hours of operation
- Ground contamination
- Measures to reduce impact of construction on residents
- Details to demonstrate access road is built to an adoptable standard
- Bat boxes
- Site waste management plan

- Retention of protected trees 954 and 955 and a new Red Oak to be planted adjacent to tree 950.
- Details of access road

Planning Application 11/00912/TEL Land To The Rear Of Fordhouse Road Industrial Estate, Steel Drive, Wolverhampton,

- 115 Resolved that planning application 11/00914/FUL be granted in accordance with the details submitted.

Planning Application 11/00914/FUL Land At Junction With Bone Mill Lane And Crown Street, Wolverhampton

- 116 Resolved that planning application 11/00914/FUL be granted in accordance with the details submitted.

Planning Application 11/00916/TEL Land Fronting 39-41, Birmingham New Road, Wolverhampton

- 117 Resolved that the Interim Director for Education and Enterprise be given delegated authority to grant telecommunications notification 11/00916/TEL subject to the receipt of satisfactory amended plans addressing highway safety issues.

Planning Application 11/00726/LBC Bantock House, Finchfield Road, Wolverhampton

- 118 Resolved that listed building consent application 11/00726/LBC, be submitted to the Secretary of State with a recommendation for approval.

Planning Application 11/00908/VV 13 - 15 Lichfield Street, City Centre, Wolverhampton

- 119 Resolved that planning application 11/00908/VV be granted subject to the following conditions:
- (i) Hours of opening shall be limited to 12.00pm (lunch time) - 06.00am (morning) every day, for a temporary period between 8 December 2011 to 2 January 2012. Following this period the hours of opening shall revert back to 12.00 – 23.00 every day, including bank holidays, as specified under planning application 08/01279/DWF. Reason: In the interests of the amenity of the area. Relevant UDP policies B5, EP1, and EP5.
 - (ii) Other conditions from original approval

Planning Applications Determined Under Officer Delegation, Withdrawn etc (Appendix 32)

The Interim Strategic Director Education and Enterprise submitted a report on planning and other applications that had been determined by authorised officers under delegated powers given by Committee, those applications that have been determined following

previous resolutions of Planning Committee, or have been withdrawn by the applicant, or determined in other ways .

- 120 Resolved:-
That the report be noted.

Consultation From Other Local Authorities For Committee Consideration (Appendix 33)

The Strategic Director Education and Enterprise submitted a report on a consultation from another local authority on a planning application submitted within their area which may have an impact on Wolverhampton.

- 121 Resolved:-
That the report be noted

Planning Appeals (Appendix 34)

The Interim Strategic Director Education and Enterprise submitted a report on an analysis of planning appeals in respect of decisions of the Council to either refuse planning or advertisement consent or commence enforcement proceedings.

- 122 Resolved:-
That the report be noted.

Enforcement Update (Appendix 35)

The Interim Strategic Director Education and Enterprise submitted a report on enforcement matters.

Following a question from Members it was agreed that a briefing note would be sent to all members of the committee informing them of the progress of enforcement action on two particular sites and that officers would consider, in consultation with the Chair, Vice Chair and Shadow Chair how enforcement matters could be appropriately reported in the future.

- 123 Resolved:-
(i) That the report be noted.
(ii) That a briefing note would be sent to all Members of the Committee
(iii) That officers consider, in consultation with the Chair, Vice Chair and Shadow Chair how enforcement matters could be appropriately reported in the future.