

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel	<u>PLANNING COMMITTEE</u>	Date: 28th February 2012
Originating Service Group(s)	REGENERATION AND ENVIRONMENT	
Contact Officer(s)	Stephen Alexander (Head of Planning)	
Telephone Number(s)	(01902) 555610	
Title/Subject Matter	PLANNING APPLICATIONS	

Recommendation

Members are recommended to:

- (i) note the advice set out in the Legal Context and Implications;
- (ii) determine the submitted applications having regard to the recommendations made in respect to each one.

PLANNING COMMITTEE (28th February 2012)

Legal Context and Implications

The Statutory Test

- 1.1 S70 of the Town and Country Planning Act 1990 provides that where a local planning authority is called upon to determine an application for planning permission they may grant the permission, either conditionally or unconditionally or subject to such conditions as they think fit or they may refuse the planning permission. However, this is not without further restriction, as s.70 (2) of the Town and Country Planning Act 1990 requires that the authority shall have regard to the provisions of the development plan so far as material to the planning application and to any other material considerations. Further, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. Officers will give guidance on what amounts to be a material consideration in individual cases but in general they are matters that relate to the use and development of the land.

Conditions

- 1.2 The ability to impose conditions is not unfettered and they must be only imposed for a planning purpose, they must fairly and reasonably relate to the development permitted and must not be manifestly unreasonable. Conditions should comply with Circular Guidance 11/95.

Planning Obligations

- 1.3 Planning Obligations must now as a matter of law (by virtue of the Community Infrastructure Levy Regulations 2010) comply with the tests set down in the Circular 5/2005, namely, they must be:
- i) Necessary to make the development acceptable in planning terms
 - ii) Directly related to the development; and
 - iii) fairly and reasonably related in scale and kind to the development.

This means that for development or part of development that is capable of being charged Community Infrastructure Levy (CIL), whether there is a local CIL in operation or not, it will be unlawful for a planning obligation to be taken into account when determining a planning application, if the tests are not met. For those which are not capable of being charged CIL, the policy in Circular 5/2005 will continue to apply."

Retrospective Applications

- 1.4 In the event that an application is retrospective it is made under S73A of the Town and Country Planning Act 1990. It should be determined as any other planning permission would be as detailed above.

Applications to extend Time-Limits for Implementing Existing Planning Permissions

- 1.5 A new application was brought into force on 1/10/09 by the Town and Country (General Development Procedure) (Amendment No 3) (England) Order 2009 (2009/2261) and the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009 (2009/2262).

1.6 This measure has been introduced in order to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn, so that they can be more quickly implemented when economic conditions improve. It is a new category of application for planning permission, which has different requirements relating to:

- the amount of information which has to be provided on an application;
- the consultation requirements;
- the fee payable.

1.7 LPAs are advised to take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application will necessarily have been judged to have been acceptable at an earlier date. The application should be judged in accordance with the test in s.38(6) P&CPA 2004 (see above). The outcome of a successful application will be a new permission with a new time limit attached.

1.8 LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission. The process is not intended to be a rubber stamp. LPAs may refuse applications where changes in the development plan and other material considerations indicate that the proposal should no longer be treated favourably.

Reasons for the Grant or Refusal of Planning Permission

1.9 Members are advised that reasons must be given for both the grant or refusal of planning decisions and for the imposition of any conditions including any relevant policies or proposals from the development plan.

1.10 In refusing planning permission, the reasons for refusal must state clearly and precisely the full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision (art 22(1)(c) GDPO 1995).

1.11 Where planning permission is granted (with or without conditions), the notice must include a summary of the reasons for the grant, together with a summary of the policies and proposals in the development plan which are relevant to the decision to grant planning permission (art 22(1)(a and b) GDPO 1995).

1.12 The purpose of the reasons is to enable any interested person, whether applicant or objector, to see whether there may be grounds for challenging the decision (see for example *Mid - Counties Co-op v Forest of Dean* [2007] EWHC 1714).

Right of Appeal

1.13 The applicant has a right of appeal to the Secretary of State under S78 of the Town and Country Planning Act 1990 against the refusal of planning permission or any conditions imposed thereon within 6 months save in the case of householder appeals where the time limit for appeal is 12 weeks. There is no third party right of appeal to the Secretary of State under S78.

1.14 The above paragraphs are intended to set the legal context only. They do not and are not intended to provide definitive legal advice on the subject matter of this report. Further detailed legal advice will be given at Planning Committee by the legal officer in attendance as deemed necessary.

The Development Plan

- 2.1 Section 38 of the 2004 Planning and Compulsory Purchase Act confirms that the **development plan**, referred to above, consists of the *development plan documents* which have been adopted or approved in relation to that area.
- 2.2 Wolverhampton's adopted Development Plan Documents are the saved policies of Wolverhampton's Unitary Development Plan (June 2006) and the West Midlands Regional Spatial Strategy.

Environmental Impact Assessment Regulations

- 3.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 require that where proposals are likely to have significant effects upon the environment, it is necessary to provide an Environmental Impact Assessment (EIA) to accompany the planning application. The EIA will provide detailed information and an assessment of the project and its likely effects upon the environment. Certain forms of development [known as 'Schedule 1 Projects'] always require an EIA, whilst a larger group of development proposals [known as 'Schedule 2 Projects'] may require an EIA in circumstances where the development is considered likely to have a “significant effect on the environment”.
- 3.2 Schedule 1 Projects include developments such as:-

Oil Refineries, chemical and steel works, airports with a runway length exceeding 2100m and toxic waste or radioactive storage or disposal depots.
- 3.3 Schedule 2 Projects include developments such as:-

Ore extraction and mineral processing, road improvements, waste disposal sites, chemical, food, textile or rubber industries, leisure developments such as large caravan parks, marina developments, certain urban development proposals.
- 3.4 If it is not clear whether a development falls within Schedule 1 or Schedule 2 the applicant can ask the local authority for a “screening opinion” as to which schedule is applicable and if Schedule 2, whether an EIA is necessary.
- 3.5 Even though there may be no requirement to undertake a formal EIA (these are very rare), the local authority will still assess the environmental impact of the development in the normal way. The fact that a particular scheme does not need to be accompanied by an EIA, is not an indication that there will be no environmental effects whatsoever.

<u>REFERENCE</u>	<u>SITE ADDRESS</u>	<u>WARD</u>	<u>PAGE NO</u>
11/01208/FUL	3 Wergs Drive Wolverhampton WV6 8TZ	Tettenhall Regis	Page 8
Application Type	Householder		
11/01205/FUL	53 Woodthorne Road Wolverhampton WV6 8TU	Tettenhall Regis	Page 12
Application Type	Householder		
11/01170/FUL	Former St Judes House 51 - 52 St Judes Road West Wolverhampton WV6 0DB	Park	Page 17
Application Type	Minor Dwellings		
11/01190/FUL	59 Tynninghame Avenue Wolverhampton WV6 9PP	Tettenhall Regis	Page 25
Application Type	Householder		
11/00978/REM	Peel Retail Park Stafford Street Whitmore Reans Wolverhampton	Bushbury South And Low Hill	Page 29
Application Type	Largescale Major Retail		
11/01004/FUL	Former Hodson House Hodson Close Wolverhampton WV11 2PN	Wednesfield North	Page 34
Application Type	Minor Dwellings		

12/00114/FUL	All Saints Church All Saints Road Wolverhampton WV2 1EL	Ettingshall	Page 42
Application Type	Minor All Other Development		
11/01164/FUL	106 Birmingham Road Wolverhampton WV2 3NH	Blakenhall	Page 46
Application Type	Change of use		
11/01034/FUL	7 Ryecroft Cottages Coton Road Wolverhampton WV4 5AS	Penn	Page 51
Application Type	Householder		
11/00972/FUL	1 Gatcombe Close Wolverhampton WV10 8TW	Bushbury North	Page 56
Application Type	Householder		
11/01172/FUL	16 Wrekin Drive Tettenhall Wolverhampton WV6 8UJ	Tettenhall Regis	Page 61
Application Type	Householder		
12/00037/LBC	Penn Hall Vicarage Road Penn Wolverhampton WV4 5HP	Penn	Page 67
Application Type	Listed Building Consent (alter-extend)		

12/00040/LBC Former Barn **Penn** Page 71
Penn Hall School
Vicarage Road
Penn
WV4 5HP

Application Type Listed Building Consent
(alter-extend)

11/01030/FUL 41 Woodthorne Road **Tettenhall Regis** Page 75
Wolverhampton
WV6 8TU

Application Type Householder

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01208/FUL

WARD: Tettenhall Regis

RECEIVED: 21.12.2011

APP TYPE: Full Application

SITE: 3 Wergs Drive, Wolverhampton, WV6 8TZ

PROPOSAL: Two storey side and rear extension (alteration to approved application 10/00372/FUL reducing size of bedroom 3 and additional bedroom above the garage)

APPLICANT:

Mr S Bining
3 Wergs Drive
Tettenhall
Wolverhampton
WV6 8TZ

AGENT:

Mr JK Kalsi
Building Designs & Technical Services
2 Coalway Road
Penn
Wolverhampton
Wv3 7LR

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site contains a three-bedroom semi-detached dwellinghouse. This forms part of a pair of semi-detached dwellings which are located spaciouly within the streetscene. The surrounding area is predominantly residential consisting of relatively large detached or semi-detached properties.
- 1.2 A previous planning permission for a two storey side and rear extension has started on site although this has not been completed.

2. Application details

- 2.1 The application has been made for a two storey side and rear extension as an alteration to a previously approved application 10/00372/FUL. Therefore planning permission has already been granted for a two storey side and rear extension with single storey side and rear accommodation.
- 2.2 The application is effectively seeking permission for a 1st floor accommodation above the garage to the side. This would provide accommodation for a fourth bedroom.

3. Planning History

- 3.1 09/01072/FUL for Two storey side and rear extension - Withdrawn, dated 11.01.2010.
- 3.2 10/00372/FUL for Two storey side and rear extension - Refused, dated 20.07.2010. Appeal Allowed.
- 3.3 10/00886/FUL for Two and single storey side extension, with front canopy and front side single storey extension Revision to application DC/10/00372/FUL, Withdrawn, dated 05.11.2010.

4. Relevant Policies

The Development Plan

4.1 Wolverhampton's Unitary Development Plan

D4 - Urban Grain
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance

Black Country Core Strategy

ENV3 – Design Quality

Other relevant policies

4.2 PPS1 – Delivering Sustainable Development

5. Environmental Impact Assessment Regulations

5.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application. (This is explained at the beginning of the schedule of planning applications).

5.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 Three representations received objecting to the proposal on the following grounds;

- Out of scale and character, terracing effect
- Overbearing impact
- Insufficient parking provision to serve dwelling
- Existing development causing disturbance and disruption
- Unattractive design

7. Legal Implications

7.1 General legal implications are set out at the beginning of the schedule of planning applications. [LC/15022012/C]

8. Appraisal

8.1 The key issues are: -

- Impact on residential amenity;
- Character and appearance.

Impact on residential amenity

8.2 The proposed extension would be to the side and rear. The closest adjacent dwellings would be 1 and 5 Wergs Drive. By reason of a side and rear extension to 1 Wergs Drive the proposal would not adversely affect their neighbour amenity to an unacceptable degree

- 8.3 In respect of 5 Wergs Drive, the additional 1st side element would not impact on residential amenity as it would be screened by the existing dwellinghouse and previously permitted side/rear extension.
- 8.4 The proposal is therefore in accordance with UDP policies D7 and D8.

Character and appearance

- 8.5 As the applicants already have an existing planning permission for a two storey side and rear extension with attached single storey garage, permission is effectively sought for a first floor element above the garage.
- 8.6 The proposed side extension has been designed to appear subservient to the original dwellinghouse. It has been designed with two set backs and a lower roof height to each element. This design approach assists in breaking up the bulk and massing of the extension.
- 8.7 It is acknowledged that the proposed side extension is relatively wide, however when viewed in its context amongst relatively large detached and semi-detached dwellings, that have also been extended, its scale is considered appropriate. Those particularly comparable dwellings are at 4 and 6 Wergs Drive, these have either been implemented or have permission for comparable extensions in terms of their height, scale and massing.
- 8.8 Taking into account the context to which the subject dwelling is set and when viewed against comparable side extensions in the vicinity it is considered that the scale, character and appearance of the proposed two storey side extension is appropriate and in accordance with UDP policies D7, D8, D9 and BCCS policy ENV3.

9. Conclusion

- 9.1 The proposed side and rear extension would not adversely affect neighbouring residential amenity to an unacceptable degree. The character and appearance of the proposed works is appropriate when viewed in its context and compared to recent side extensions to properties in the vicinity. The proposal is therefore in accordance with UDP policy D7, D8, D9 and BCCS policy ENV3.

10. Recommendation

- 10.1 That planning application 11/01208/FUL be granted subject to conditions to include;
- Matching materials
 - Remove PD rights to introduce 1st floor windows to side elevations

Case Officer : Mr Mark Elliot
Telephone No : 01902 555648
Head of Planning – Stephen Alexander



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Planning Application No: 11/01208/FUL

Location	3 Wergs Drive, Wolverhampton ,WV6 8TZ		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 387270 301003
Plan Printed	15.02.2012	Application Site Area	583m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01205/FUL

WARD: Tettenhall Regis

RECEIVED: 25.11.2011

APP TYPE: Full Application

SITE: 53 Woodthorne Road, Wolverhampton, WV6 8TU

PROPOSAL: Extension (Library, Studio, Utility & WC) and conservatory to the rear

APPLICANT:

Dr Frank Reeves
53 Woodthorne Road
Wolverhampton
WV6 8TU

AGENT:

Mr Philip Jenks
1 Shirlett Heights
Broseley
Telford
Shropshire
TF12 5BH

COMMITTEE REPORT:

1. Site Description

- 1.1 The application property is located in a predominately residential area.
- 1.2 The properties in the near vicinity are predominately detached and located on large plots with extensive rear gardens.

2. Application details

- 2.1 This application is a for a single storey rear extension, consisting of a Library, Studio, Utility and WC. The proposal also includes a conservatory to the rear.
- 2.2 The proposed single storey rear extension is located along the boundary with No.55.
- 2.3 The proposed conservatory would be an infill between the proposed single storey rear extension and the existing single storey rear extension along the boundary with No.51.

3. Planning History

- 3.1 A/C/0431/79 for Garage and study with two dressing rooms over, Granted, dated 17.09.1979.

4. Constraints

- 4.1 Tree Preservation Order - TPO Ref: 06/00632/TPO
Tree Preservation Order - TPO Ref: 06/00467/TPO

5. Relevant policies

- 5.1 The Development Plan
Wolverhampton's Unitary Development Plan

D4 - Urban Grain
D6 - Townscape and Landscape
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance

Other relevant policies

5.2 PPS1 – Delivering Sustainable Development

5.3 Wolverhampton's Supplementary Documents
SPG4 - Extension to Houses

5.4 Black Country Core Strategy (publication document Nov 2009).
ENV3 - Design Quality

6. Environmental Impact Assessment Regulations

6.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application

6.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

7.1 One representation has been received from a neighbour who is opposed to the proposal. The objection can be summarised as follows:

- The proposed extension is inappropriate and disproportionate in mass and scale;
- The projection of the proposed extension would cause loss of light;
- The extension would have an overbearing impact;
- The proposal would be overdevelopment of the site.

8. Internal consultees

8.1 There were no internal consultations regarding this application.

9. External consultees

9.2 There were no external consultations regarding this application.

10. Legal Implications

10.1 General legal implications are set out at the beginning of the Schedule of planning applications
(LD/13022012/S)

11. Appraisal

11.1 The key issues are: -

- Design; and
- Neighbour amenity.

Design

11.2 The design of the proposed single storey rear extension and conservatory are considered to be of a good quality design which is in keeping with the character and appearance of the property. The design of the extension and conservatory are considered to be acceptable and is in accordance with saved UDP Policy D9 and BCCS Policy ENV3.

Neighbour amenity

11.3 The height of the proposed extension is 3.4m and it would project 6.2m beyond the existing extension of the neighbouring property No.55 Woodthorne Road. The proposed extension would be positioned 1m away from the boundary of the adjoining property No.55. The neighbouring property also has an existing single storey rear extension which has been positioned approximately 1m away from the adjoining boundary. It is considered that the position of the proposed extension and conservatory away from the adjoining boundary with No.55 is unlikely to have an adverse affect on the living conditions of that neighbouring property and therefore the proposal is in accordance with saved UDP Policies D4, D6 and D8.

11.4 There is an existing 2m high fence along the adjoining boundary between the application property and No.55. The additional 1.3m height of the single storey rear extension above the boundary treatment is likely to have a minimal affect on the outlook from the extended part of the neighbouring property. However, the outlook from the living room of No.55 is unlikely to be impaired as the living room is located on the far side of the property. The proposed conservatory is unlikely to affect either of the neighbouring properties due to its location in between the proposed rear extension and existing rear extension. As such, the height and massing of the proposed extension and conservatory is considered to be acceptable and is in accordance with saved UDP Polices D7 and D8.

11.5 The orientation of the application property is west facing. The proposed single storey rear extension and conservatory are unlikely to affect the daylight/sunlight to the rear windows of No.55 or its living room due to the orientation of the application property and neighbouring properties and therefore is in accordance with saved UDP Policy D8.

11.6 The application property is located on a large generous plot with a large rear garden. The proposed single storey rear extension and conservatory will not substantially reduce the amenity space at the property and is in accordance with saved UDP Policy D6 and adopted SPG4.

12. Conclusion

12.1 The proposal for a single storey rear extension and conservatory is considered to be acceptable as it is positioned away from the boundary of the neighbouring property. There is likely to be some minimal affect on the outlook from the neighbouring property but there will be no affect for the outlook from the main living room. The proposal is unlikely to affect the daylight/sunlight to the rear of No.55 due to the orientation of these properties. The proposal complies with Wolverhampton UDP saved Policies D4, D6, D7, D8, D9, SPG4 and adopted BCCS Policy ENV3.

13. Recommendation

13.1 That Planning Application 11/01205/FUL be granted, subject to any necessary conditions including:

- Materials to match existing.

Case Officer : Mr Dharam Vir

Telephone No : 01902 555643

Head of Planning – Stephen Alexander



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Planning Application No: 11/01205/FUL

Location	53 Woodthorne Road, Wolverhampton, WV6 8TU		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 387483 300555
Plan Printed	15.02.2012	Application Site Area	m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01170/FUL

WARD: Park

RECEIVED: 12.12.2011

APP TYPE: Full Application

SITE: Former St Judes House, 51 - 52 St Judes Road West, Wolverhampton

PROPOSAL: Conversion of nursery (51) into two (two bedroom) flats, conversion of vacant offices (52) into a professional house share containing 7 en-suite bedrooms, and communal living space, and provision of off-street parking and amenity space to the rear (amended description)

APPLICANT:

Elite Living
Lloyd House
School Road
Wheaton Aston
Stafford
ST19 9NH

AGENT:

Mr Michael Davies
7 Millpool Close
Wombourne
Wolverhampton
WV5 8HS

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site comprises a large three storey Victorian town house (52) and a more recent two storey end terrace property (51) (circa 1960s), within the predominantly residential cul-de-sac of St Judes Road West. The Victorian town house is of some architectural merit with deep bay windows at ground floor, and sash windows plus window lintels at first and second floor. The end of terrace two storey building is of limited design merit.
- 1.2 St Judes Road West is made up of red brick terrace houses on either side, and provides access to the Wolverhampton Girls High School at the end of the road.
- 1.3 Both buildings within the application are currently vacant. 52 St Judes Road West was formerly used as an office, whilst 51 was last used as the Caterpillars Nursery at the ground floor and has a vacant flat at the first floor. These two uses are accessed by separate front doors within the principle elevation of the building.
- 1.4 The two buildings are set slightly back of pavement edge providing a small terrace to the front, and have large gardens at the rear. 51 St Judes Road West has a car park area to the rear, serviced by a single car width access road which runs between the subject site and 50 St Judes Road West. This access road also provides a rear pedestrian access to the gardens of properties 44-50 and 52 & 53 St Judes Road West.
- 1.5 Three single space garages are located within the car park, all of which are within the applicant's control. In addition there is an unmarked parking area which could accommodate up to four vehicles.

2. Application details

- 2.1 The application proposes to create a professional house share within 52 St Judes Road West. The property would have seven bedrooms, each benefitting from en-suite shower rooms. Communal facilities in the form of a lounge, kitchen, dining area, study room and a laundry would be located on the ground floor. Whilst a shared garden would be accessed via the communal lounge at the rear. The professional house share would be operated by Elite Living; a property letting company with a similar facility, comprising four bedrooms, on the Cannock Road within Wolverhampton.
- 2.2 The use would be classed as a house of multiple occupation which falls within C4 of the use classes order.
- 2.3 The ground floor of 51 St Judes Road West would be converted from the existing nursery to provide two flats, each containing two bedrooms and a lounge at the rear looking onto private garden space. The existing one-bedroom flat at first floor would be retained. A small private garden space would be provided for this flat at the rear of the building.
- 2.4 The land at the rear of the two buildings will be reconfigured to provide twelve parking spaces including one disabled space, two motorbike spaces, and a five space cycle shelter. The three existing single garages would be demolished as part of the reconfiguration, and two leylandii removed.
- 2.5 Access to the vehicle spaces and gardens will be via the existing access way between 50 and 51 St Judes Road West. The applicant proposes to install two speed humps along the access way.
- 2.6 At the front of the two buildings a dwarf wall of 525mm is proposed, constructed from reclaimed bricks and topped with a stone coping. To the front elevation of 51 St Judes Road West two bay windows would be added and replacement windows installed at first floor. In addition the proposals include the replacement of the roof at the rear of 51 St Judes Road West, and some minor demolition to the rear of 52 St Judes Road West to increase the amenity space.

3. Planning History

- 3.1 Relevant planning history for 51 St Judes Road West:
- 11/00682/FUL for Change of use of the ground floor of the existing nursery to provide four self contained flats, refused, dated 12.09.2011.
 - 10/01250/FUL for Change of use to yoga fitness classes and part residential., withdrawn, dated 07.01.2011.
 - 09/00067/FUL for Change of use from residential flat to office accommodation.- refused, dated 18.03.2009.
- 3.2 Relevant planning history for 52 St Judes Road West:
- 09/00066/FUL for Change of use from commercial offices/meeting rooms to a residential dwelling – granted, dated 17.03.2009
- 3.3 The 2011 application to convert the ground floor of 51 St Judes Road West into four flats was refused due to a lack amenity space, and safety concerns in relation to the access arrangements for vehicles and pedestrians.
- 3.4 The application in 2010 for a yoga fitness centre and part residential was withdrawn due to the likelihood of a refusal. The principle issues were insufficient off-street

parking, and also concerns over noise associated with vehicles entering and leaving the site before and after classes in the evening.

- 3.5 The change of use application in 2009 for office accommodation at the first floor of the building was refused due to concerns that it would detract from the amenities of occupiers in adjacent buildings, and be an inappropriate use in this residential area.
- 3.6 The change of use application at 52 St Judes Road West from offices to residential has a three year permission which expires on 17.03.2012. The permission has never been implemented and therefore the extant legal use is for offices.

4. Constraints

- 4.1 No constraints

5. Relevant policies

The Development Plan

- 5.1 Wolverhampton's Unitary Development Plan

- H6 – Design of Housing Development
- H7 – Conversion of Buildings from Non-residential to Residential Use
- AM12 – Parking and Servicing Provision
- AM15 – Road Safety and Personal Security

- 5.2 Black Country Core Strategy

- HOU1- Delivering Sustainable Housing Growth
- HOU2 – Housing Density, Type and Accessibility
- TRAN4 – Creating coherent networks for walking and cycling

Other relevant policies

- 5.3 National Policy

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 - Transport

- 5.3 Wolverhampton's Supplementary Documents

SPG3 – Residential Development

6. Environmental Impact Assessment Regulations

- 6.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.

- 6.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

7.1 Five representations have been received making the following planning comments in respect of the application:

- Inadequate parking provision.
- Further pressure on existing on-street parking.
- Increase in traffic.
- Visibility for drivers accessing/exiting the site.
- Safety concerns for pedestrian access to 50 St Judes Road West.
- Additional speed hump required and max speed signs in car park.
- Affects a right of way.
- Overdevelopment.
- Inappropriate style of housing.
- Boundary treatments to gardens and frontage of the site.

7.2 Other non-planning comments of note:

- Clauses within the tenancy agreement of the professional house share requiring residents to park within the car park provided, and use the access road safely.

8. Internal consultees

8.1 **Environmental Services** – Comments awaited.

8.2 **Transportation Development** – Level of parking provision and parking layout are acceptable, safety concerns over the access allayed by proposed speed humps.

8.3 **FAO Housing Standards Team** – Flats 1 and 2 in 51 St Judes Road West meet space standards for a two bedroom flat. Flat 3 meets standards for a one bedroom flat.

8.4 All bedrooms within 52 St Judes Road West meet double bedroom standards for house share situation.

8.5 Both properties will need to conform to fire regulations.

8.6 **Tree Officers** – No objections.

9. External consultees

9.1 No external consultees.

10. Legal Implications

10.1 General legal implications are set out at the beginning of the schedule of planning applications (LD/13022012/U).

11. Appraisal

11.1 The key issues are: -

- Principle of Development

- Access
- Right of way
- Parking
- Amenity Space
- Design
- Fall-back position

Principle of Development

- 11.2 The area of St Judes Road West is primarily residential, with the school at the end of the road presenting the only major other land use. A residential use within the two vacant buildings would represent an appropriate use, being compatible with the surrounding area, as sought by policy H6 and H7 of the UDP and national guidance in PPS3. The development would also succeed in providing two different types of dwelling to the existing housing stock of the immediate area at an appropriate density and scale, and thereby meet the requirements of HOU2 of the Black Country Core Strategy.

Parking

- 11.3 The applicant proposes to provide 11 standard size parking spaces and one disabled space. This level of provision is in accordance with standards sought by AM12 of the UDP. In addition to this off-street provision the site has a relatively wide frontage onto St Judes Road West which could accommodate approximately three vehicles on-street if required. However it is noted that on-street spaces are not designated to particular dwellings and therefore their availability cannot be guaranteed.
- 11.4 Non-car modes are also sufficiently catered for within the development with secure parking for bicycles and motorcycles. The proposals therefore conform with TRAN4 of the BCCS.
- 11.5 The comments in relation to parking clauses through the tenancy agreements of the professional house share are noted. Elite Living may decide to undertake such a requirement. However placing an obligation of this nature upon the applicant is outside of the powers of the Local Planning Authority, and therefore this issue should not be taken into consideration when considering the planning application

Access

- 11.6 The access to the parking and amenity space at the rear of the site is via the existing 3.2m wide access route between 50 and 51 St Judes Road West. The applicant has sought to address potential conflict between pedestrians and vehicles with the provision of two speed humps to lower vehicle entry and exit speeds along the access route.
- 11.7 The first speed hump is to be located close to the existing pedestrian access to 50 St Judes Road West whilst the second speed hump would be located next to the proposed pedestrian access for Flat 2 within 51 St Judes Road West. It is considered that the result of this design intervention will lower vehicle speeds at these two sensitive points, thereby addressing safety issues for pedestrians within the site and those walking in front of the site along the pavement.
- 11.8 The introduction of speed humps will also have the effect of reducing vehicle speeds along the length of the access and give drivers and pedestrians additional observation time at the entrance point with St Judes Road West. The proposals meet the policy requirements of AM15 in the UDP.

Right of way

- 11.9 A number of representations have commented on existing rights of way which residents along St Judes Road West benefit from to gain access to their rear gardens. Whilst this is a property rights issue rather than a planning issue the applicant has sought to design the layout of the rear of the site in such a manner to retain these access points.

Amenity Space

- 11.10 As part of the reconfiguration of the land at the rear of the site the applicant proposes to provide large private gardens for Flats 1 and 2, a small garden for Flat 3, and a shared amenity space for the professional house share of approximately 100sqm. The amenity space for the house share is in accordance with under the requirements set out by SPG3.

Design

- 11.11 The proposals within the application predominantly relate to the use and internal configuration of the 51 and 52 St Judes Road West. However the applicants are proposing a number of external improvements as part of the overall project. The addition of bay windows to the front of 51 St Judes Road will improve what is a rather blank and featureless principle elevation, whilst the dwarf wall at the front of the two properties will enhance the design context of the overall site within the street scene. The proposals are therefore consistent with design policies D6 and D9 in the UDP.

Fall-back position

- 11.12 51 St Judes Road West was formerly a nursery with a single dwelling above, whilst 52 St Judes Road West was last used as offices. These remain the respective legal uses of the two properties and as such could be reinstated without the need for planning consent. The characteristics of these uses potentially have significantly greater levels of traffic generation than the current proposals within this application, and are arguably less compatible with the residential characteristics of St Judes Road West. Consequently the proposed uses are likely to have a lower traffic generation than the existing legal uses.

12. Conclusion

- 12.1 Whilst past applications have only involved certain parts of the site in isolation the current proposals represent a joined up approach to dealing with these two vacant properties on St Judes Road West.
- 12.2 The proposed uses are considered appropriate within the residential context of the surrounding area. The off-street parking provision at the rear of the site meets standards for car and non-car modes. Speed humps are proposed along the access to the parking area, thereby lowering vehicle approach and exit speeds, and improving the safety for pedestrians using this route.
- 12.3 An appropriate level of amenity space is provided for the three flats and the residents of the professional house share at the rear of the site.
- 12.4 Finally the applicants have sought to enhance the design of the two buildings with the addition of the dwarf wall and bay windows, thereby improving the context of the site within the street scene.
- 12.5 The application proposals are consistent and compliant with the policies set out in the Unitary Development Plan and Black Country Core Strategy.

13. Recommendation

13.1 That planning application 11/01170/FUL be granted, subject to any appropriate conditions including the following:

- Boundary details
- Cycle parking
- Bin storage
- Matching materials
- Landscaping
- Hours of construction

Case Officer : Mr Andy Carter
Telephone No : 01902 551360
Head of Planning – Stephen Alexander



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Planning Application No: 11/01170/FUL

Location	Former St Judes House, 51 - 52 St Judes Road West, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389621 299326
Plan Printed	15.02.2012	Application Site Area	1159m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01190/FUL

WARD:

Tettenhall Regis

RECEIVED: 06.12.2011

APP TYPE: Full Application

SITE: 59 Tynninghame Avenue, Wolverhampton, WV6 9PP

PROPOSAL: Two storey side extension

APPLICANT:

Mr M Rock
59 Tynninghame Avenue
Wolverhampton
WV6 9PP

AGENT:

COMMITTEE REPORT:

1. Site Description

1.1 59 Tynninghame Avenue is a detached three-bedroom dwellinghouse. The property is positioned on a prominent corner location. The surrounding urban form is of an open and spacious character with properties set away from the highway. In respect of 59 Tynninghame Avenue the open space to the side of the building has been enclosed by close boarded fencing to form part of the rear garden.

2. Application details

2.1 The application has been made for a two storey side extension. The side extension would be set back 3m from the front of the dwellinghouse with a lower roof ridgeline than the existing. It would project towards the highway 3.75m, leaving only 2.75m to the back edge of the pavement.

2.2 The development would provide a kitchen and dining room extension with additional bedroom at 1st floor.

3. Planning History

3.1 07/00304/FUL for Two storey and single storey rear extension including a pitched roof over existing front flat roof - Granted, dated 24.04.2007.

4. Relevant Policies

The Development Plan
4.1 Wolverhampton's Unitary Development Plan

D4 - Urban Grain
D5 - Public Realm Public Open Private Space
D6 - Townscape and Landscape
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance

Black Country Core Strategy

ENV3 – Design Quality
CSP4- Place Making

Other relevant policies

- 4.2 PPS1 – Delivering Sustainable Development
- 4.3 Wolverhampton's Supplementary Documents
SPG4 – Extension to Houses

5. Environmental Impact Assessment Regulations

- 5.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application. (This is explained at the beginning of the schedule of planning applications).
- 5.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

- 6.1 One representation received, this objected to the proposal on the following grounds;
- Adversely affect neighbour amenity
 - The extension would break the building line
 - Loss of green open space enclosed by 1.8m high fencing, not a reason to now allow further development.

7. Consultees

- 7.1 None

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/15022012/A)

9. Appraisal

- 9.1 The key issues are: -
- Impact on residential amenity;
 - Character and appearance.

Impact on residential amenity

- 9.2 The proposed two storey side extension would be a sufficient distance from any neighbouring property to avoid having a detrimental impact on amenity in respect of scale and massing. Therefore the proposal would be in accordance with UDP policy D8 by not adversely affecting people's amenities.

Character and appearance

- 9.3 The property is located on a prominent corner location. The dwellinghouse has been specifically set away from the highway to reflect the open and spacious character of the surrounding residential environment. This is reflected with the property opposite, 67 Tynninghame Avenue which is also set away from the highway. The side elevation of 59 Tynninghame Avenue also aligns with the front elevations of those dwellings to the west to form a strong building line. The proposed two storey side extension would encroach into this space, leaving only 2m to the back edge of the pavement, and would significantly detract from the open and spacious character of the neighbourhood. This would be contrary to UDP policy D4 and D8 which requires proposals to make a positive contribution to the appearance of an area and respond positively to the established pattern of streets including spatial character and building lines, of which they form a part of.

10. Conclusion

- 10.1 The proposed two storey side extension would not respond positively to the established pattern of the streetscene and spatial character of the area. It would significantly detract from the open and spacious character of the neighbourhood and would be contrary to UDP policies D4, D8 and BCCS policy ENV3.

11. Recommendation

- 11.1 That Planning Application 11/01190/FUL be refused for the following reason;

The proposed two storey side extension would, by reason of its prominent corner location, not respond positively to the established building line and spatial character of which 59 Tynninghame Avenue forms a part of. The two storey side extension would extend the property towards the highway which would significantly detract from the open and spacious character of the neighbourhood. Contrary to UDP policies D4, D8 and BCCS policy ENV3.

Case Officer : Mr Mark Elliot
Telephone No : 01902 555648
Head of Planning – Stephen Alexander



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Planning Application No: 11/01190/FUL

Location	59 Tynninghame Avenue, Wolverhampton, WV6 9PP		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389024 300870
Plan Printed	15.02.2012	Application Site Area	469m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/00978/REM

WARD:

Bushbury South And
Low Hill

RECEIVED: 10.10.2011

APP TYPE: Approval of Reserved Matters

SITE: Peel Retail Park, Stafford Street, Whitmore Reans, Wolverhampton

PROPOSAL: Reserved Matters for the extension and reconfiguration of Peel Centre Retail Park, Stafford Street, in accordance with outline planning permission 07/01739/RC

APPLICANT:
Peel Holdings Ltd.
C/o The Agent

AGENT:
Simon Williams
NJL Consulting
Adamson House Towers Business Park
Wilmslow Road
Didsbury, Manchester
Lancashire
M20 2YY

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site is located 740m north of the Ring Road. It comprises Peel Retail Park and the adjacent Jaguar dealership. The site is bounded by Bone Mill Lane to the north, Cannock Road to the south, Stafford Street to the west and the West Coast Main Line to the east and comprises approximately 2.95 hectares.
- 1.2 To the south of Cannock Road is Carver's Builders Merchants, which has hazardous substance consent for the storage of liquid petroleum gas (LPG). To the west are university buildings and high density housing in a campus style format.
- 1.3 Site levels rise from north to south. From its junction with Stafford Street, Cannock Road falls to the east so that it becomes significantly lower than the level of the application site.

2. Application Details

- 2.1 The application seeks approval of all reserved matters including access, appearance, landscaping, layout and scale.
- 2.2 The area of existing buildings on the site is 7,807sqm. The new proposals would provide 7 units with a total of 10,299sqm gross external area of floor space and a maximum height of between 10m and 17m. The proposed materials are facing brick, terracotta rainscreen cladding, louvres and a metal canopy creating a covered walkway.
- 2.3 Vehicular access and egress are shown separately from Stafford Street. The layout shows 325 car parking spaces of which 20 would be dedicated disabled person bays and staff parking. The car parking is shown in front of the buildings. Servicing is to the rear of the units with access from the north off Bone Mill Lane.

3. Planning History

- 3.1 07/01739/RC for Application to carry out development without complying with condition 27 (restricting 1,421m to sale of sports and recreation goods) and condition 28 (restricting goods to be sold) attached to planning permission 07/01170/OUT (for redevelopment and extension of retail park), granted 14.10.2008.
- 3.2 07/01170/OUT for Redevelopment and extension of retail park to increase retail (A1) floor space from 7,807sqm to 10,306sqm and additional 2,550sqm of leisure (D2) floor space [Outline Application], Granted 30.11.2007.
- 3.3 11/00133/FUL for Full Application for the proposed conversion of the existing Stafford Street/Cannock Road signalised junction to a signalised gyratory system – pending decision.
- 3.4 09/00475/OUT for Outline Application. Erection of A1 foodstore with associated infrastructure and ancillary works. Granted 21.12.2011

4. Constraints

Hazardous Premises - Consideration Zones - Name: Carvers

5. Relevant Policies

5.1 National Guidance

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPG13 Transport

Draft National Planning Policy Framework

5.2 Regional Policy Guidance

UR1D Retail Floorspace
QE1 Conserving and Enhancing the Environment
QE2 Restoring degraded areas and managing and creating high quality new environments
QE3 Creating a high quality built environment for all
QE4 Greenery, urban green space and public squares
T2 Reducing the Need to Travel
T3 Walking and Cycling
T4 Promoting Travel Awareness
T5 Public Transport
T7 Car parking standards and Management

Unitary Development Plan

- 5.3 AM12 Parking and Servicing Provision
- AM14 Minimising the Effect of Traffic on Communities
- AM15 Road Safety and Personal Security
- D3 Urban Structure
- D4 Urban Grain
- D5 Public Realm Public Open Private Space
- D6 Townscape and Landscape
- D7 Scale - Height

- D8 Scale - Massing
- D9 Appearance
- D10 Community Safety

5.4 Black Country Core Strategy

- CSP4 Place Making
- CSP5 Transport Strategy
- TRAN2 Managing Transport Impacts of New Development
- TRAN4 Creating coherent Networks for Cycling and Walking
- TRAN5 Influencing the Demand for Travel and Choice
- ENV2 Historic Character and Local Distinctiveness
- ENV3 Design Quality

6. Environmental Impact Assessment Regulations

- 6.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.
- 6.2 This application is considered to be a Schedule 2 Project as defined by the above Regulations. The "screening opinion" of the Local Planning Authority is that a formal Environmental Impact Assessment is not required in this instance as the development is unlikely to have a significant effect on the environment as defined by the above Regulations and case law.

7. Publicity

- 7.1 No representations received.

8. Internal Consultees

- 8.1 **Landscape & Ecology** – The landscape principles are acceptable but further detail on hard landscape materials, street furniture and lighting and a detailed schedule of planting and species should be submitted.
- 8.2 **Transportation Development** – Amended tracking plans should be provided for service vehicles which relates to the submitted layout.
- 8.3 Motorcycle and cycle parking and shower and changing facilities should be included in the layout.
- 8.4 **Strategic Asset Management** – awaiting response

9. Legal Implications

- 9.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/08022012/E)

10. Appraisal

- 10.1 The principle of development has been established by the outline planning permission. The key issues in the determination of this reserved matters application is the acceptability of the submitted details.

Scale and Appearance

- 10.2 The proposed scale of the building is appropriate to its context and the visual appearance and architectural design of the building is appropriate. The proposal is in accordance with UDP policy D9 'Appearance', D7 'Scale-Height', D8 'Scale-Massing' and BCCS policies ENV3 'Design Quality' and CSP4 'Place-Making'.

Layout

- 10.3 The proposed layout is acceptable in principle subject to amended floor plans to include shower and changing facilities, tracking drawings to ensure that large vehicles can manoeuvre satisfactorily within the site and cycle and motor cycle parking. The development would then be in accordance with UDP policies D4 Urban 'Grain', D6 'Townscape and Landscape', D10 'Community Safety' and BCCS policies ENV3 'Design Quality' and CSP4 'Place-Making'.

Landscaping

- 10.4 The landscaping proposals are broadly acceptable but further details in respect of hard landscape materials, street furniture and lighting and a detailed schedule of planting and species are required. Subject to receipt of satisfactory details the proposal would be in accordance with UDP policy D6 Townscape and Landscape.

Access

- 10.5 The proposed access and parking arrangements are acceptable subject to tracking drawings which demonstrate that vehicles can manoeuvre satisfactorily within the site. The development would then be in accordance with UDP policies AM12 'Parking and Servicing Provision', AM15 'Road Safety and Personal Security' and BCCS policy TRAN2 'Managing Transport Impacts of New Development'.

11. Conclusion

- 11.1 Subject to the satisfactory receipt of amended drawings to include cycle and motorcycle parking, shower and changing facilities, tracking drawings to ensure that large vehicles can satisfactorily manoeuvre within the site and additional landscaping drawings, the reserved matters are acceptable and in accordance with the Development Plan.

12. Recommendation

- 12.1 That the Interim Strategic Director of Education and Enterprise be given delegated authority to grant planning application 11/00978/REM subject to:
1. Submission of satisfactory amended layout to include motorcycle and cycle parking, shower and changing facilities, tracking drawings and revised landscaping plans.
 2. Any necessary conditions to include:-
 - Submission of samples/materials

Case Officer : Ms Jenny Davies
Telephone No : 01902 555608
Head of Planning – Stephen Alexander



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Planning Application No: 11/00978/REM

Location	Peel Retail Park, Stafford Street, Whitmore Reans, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391568 299575
Plan Printed	15.02.2012	Application Site Area	29468m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01004/FUL

WARD: Wednesfield North

RECEIVED: 06.10.2011

APP TYPE: Full Application

SITE: Former Hodson House, Hodson Close, Wolverhampton

PROPOSAL: Residential Development comprising of seven detached bungalows and two semi-detached bungalows

APPLICANT:

Mr Stan Alexander
Alexson Homes
Prestwood Barn
Off Linthouse Lane
Wednesfield
Wolverhampton
WV11 3TT

AGENT:

COMMITTEE REPORT:

1. Site Description

- 1.1 The application site was once a residential home owned by Wolverhampton City Council known as "Hodson House". This building was surplus to requirements and the site was auctioned, with outline planning permission for residential development for nine bungalows (Granted 30 March 2011 10/01152/DWO).
- 1.2 The former two storey residential home is now demolished and the site is currently being cleared. The site forms part of Hodson Close, which is a quiet cul-de-sac consisting of semi-detached bungalows, which surround the southern and eastern boundaries of the site.
- 1.3 North of the site is a large area of public open space, leading onto Griffiths Drive and semi detached houses beyond.
- 1.4 Ashmore Park Community Centre is located along the north/eastern boundary of the site, and a local shopping centre is situated further east, which is easily accessible on foot.
- 1.5 The Community Centre is an active centre holding a premises licence which includes the following licensable activities; films, indoor sporting events, live music, recorded music, facilities for making music and dancing between the following hours:

Sunday to Thursday 09.00 to 22.00 hours

Friday 0.900 to 23.00 hours

Saturday 09.00 to 23.30 hours

2. Application details

- 2.1 The proposal is for nine bungalows, seven detached and two semi-detached. The site has a vehicular access leading from Townson Road onto Hodson Close, and maintaining the existing pedestrian footpaths leading onto Griffiths Drive along the eastern and southern boundaries of the site.

- 2.2 The bungalows have two bedrooms, lounge, kitchen, conservatory, study, bathroom, ensuite facilities, and two parking spaces per plot. The houses will front onto Hodson Close with open plan landscaped frontages, and enclosed private garden areas backing onto the open space, along Griffiths Drive.

3. Planning History

- 3.1 10/01152/DWO for Application for outline planning permission with all matters reserved for construction of nine detached single storey bungalows, Granted, dated 30.03.2011.
- 3.2 11/01003/DEM for Demolition of former care home (numbers 9-35), Granted, dated 21.11.2011.

4. Constraints

- 4.1 Recreational Open Space
Landfill Gas Zones
Mining Referral area
Public Right of Way

5. Relevant Policies

- The Development Plan
5.1 Wolverhampton's Unitary Development Plan

- The Development Plan
5.2 Wolverhampton's Unitary Development Plan

AM12 - Parking and Servicing Provision
AM15 - Road Safety and Personal Security
AM9 - Provision for Pedestrians
D2 - Design Statement
D3 - Urban Structure
D4 - Urban Grain
D5 - Public Realm Public Open Private Space
D6 - Townscape and Landscape
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance
D10 - Community Safety
D11 - Access for People with Disabilities part
D13 - Sustainable Development Natural Energy
EP15 - Landfill Activities
EP18 - Mineral Extraction
EP4 - Light Pollution
EP5 - Noise Pollution
EP9 - Sustainable Drainage Arrangements for Dev
H6 - Design of Housing Development
H8 -
R3 - Protection of Open Space, Sport and Rec.

- Other relevant policies
5.3 PPS1 – Delivering Sustainable Development

PPG3 - Housing

- 5.4 Wolverhampton's Supplementary Documents
SPG3 - Residential Development
- 5.5 Black Country Core Strategy (publication document Nov 2009).
ENV2 – Historic Character and Local Distinctiveness
ENV3 - Design Quality
ENV6 - Open Space, Sport and Recreation
CSPE – Place Making
HOU2 Housing Density, Type and Accessibility
HOU3 Delivering Affordable Housing
TRAN4 Creating Coherent Networks for Cycling and for Walking
TRAN5 Influencing the Demand for Travel and Travel Choices

6. Environmental Impact Assessment Regulations

- 6.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application. (This is explained at the beginning of the schedule of planning applications).
- 6.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 A petition containing 16 signatures requesting more lighting to the proposed alleyway, between the proposed development and the Community Centre.
- 7.2 One letter of objection from Ashmore Park Community Centre, reiterating objections made at the outline planning permission stage, regarding possible complaints from future residents of the proposed development against the centre in respect of noise levels, and possible loss of light to the centre from the proposed development. In respect of this application, the community centre is also concerned about the enclosure of the public right of way and creation of an alley safety and security issues, especially as there is no lighting proposed. And that there is no mention of the Community Centre in the Design and Access Statement, or within the plans.

8. Internal Consultees

8.1 Environmental Services –

Noise – Noise levels observed during visits to the Community Centre were not considered to be excessive. I feel that the layout of any dwellings on the site could be considered so as to minimise the likelihood of complaints.

Air Quality – Condition for operational hours due to the close proximity of residential properties. Contaminated Land – Condition for a Site Investigation.

8.2 Transportation Development – No objection.

- 8.3 **Lighting** – It is proposed to update the lighting to Hodson Close and the public pathways, once the development is complete.
- 8.4 **Leisure and Cultural Services** – Loss of open space contribution required. Design should consider the noise emulated from the neighbouring Community Centre. Open space to the frontage should be protected/designed so as to stop cars parking on it and should be managed.
- 8.5 **Planning Policy Section** – No objections
- 8.6 Building Control – Awaiting Ground Stability Report from applicant.

9. **External Consultees**

- 9.1 The Coal Authority – awaiting comments.
- 9.2 National Grid – awaiting comments.
- 9.3 GPU Power Distribution – awaiting comments.
- 9.4 Severn Trent – No objection, subject to condition and suggested informative.

10. **Legal Implications**

- 10.1 General legal implications are set out at the beginning of the schedule of planning applications [LC/15022012/A]

11. **Appraisal**

- 11.1 The key issues are: -

- Design/Layout
- Access/Parking
- Neighbouring Amenities
- Lighting
- Environmental Protection
- Compensation for loss of public open space.

Design/Layout

- 11.2 The principle of residential development was initially approved at outline stage, with a footprint for 9 detached bungalows, and although the layout was indicative with all matters reserved, it was considered that the scale of the proposed dwellings would be appropriate to their context.
- 11.3 Hodson Close is already characterised by single storey dwellings and is within a predominantly residential area, therefore, a development continuing in this form would respect the character and appearance of the surrounding area. The type of bungalows has been slightly adjusted from the outline permission, to provide seven detached and two semi detached bungalows. Each property displays an appropriate layout, with sufficient parking and private amenity space.
- 11.4 The design of the dwellings are in keeping with those surrounding being facing brickwork, beneath interlocking concrete tiles. The orientation of the main living rooms is acceptable, and the surrounding area has been suitably landscaped, with

appropriate boundary treatment, especially along the rear boundary which has been amended to incorporate a brick wall dividing the dwellings from the open space.

- 11.5 Therefore, it is considered that the proposed development is in keeping with both Unitary Development Plan Policies (UDP) D2, D3, D4, D5 - Public, D6, D7, D8, D9, Black Country Core Strategy Policies (BCCS) ENV2, ENV3, CSPE, HOU2, HOU3, National Planning Policy(NPP) PPS1, PPG3 and Supplementary Planning Guidance Note 3 (SPG3).

Access/Parking

- 11.6 The access road and parking is considered sufficient to meet the requirements of the proposed development. The public right of ways will remain open. Access will still be afforded to the Sub Station from Hodson Close, through removable elm posts which bound and secure the area of landscaping to the front of the dwellings. Compliant with UDP Policies AM12, AM15, AM9, and BCCS Policies TRAN4 and TRAN5.

Neighbouring Amenities

- 11.7 There are two properties in Hodson Close (number 7 and 8), which are positioned close to the proposed development. The rear garden areas of these two neighbouring properties would abut the site with proposed plots 1 and 2 of the development in the far south/western corner. Although the dwellings would be clearly evident, there would be sufficient distance between the dwellings, so as not to appear overbearing, or reduce light/sunlight and privacy. 36 Townson Road, would also be close to the proposed development and Plot 9, next to the proposed turning head. However, again due to the single storey nature of the development, distances, and boundary fencing, their amenities would not be significantly reduced.
- 11.8 At the outline stage Ashmore Park Community Centre has raised concern with respect to the possible impact from loss of light/sunlight. The centre has three windows positioned along the boundary with plot 9. The centre are concerned that the development would lead to an increased use of artificial lighting especially during the winter months due to the close proximity of the development and fencing adjacent the pathway between the proposed development and the Community Centre.
- 11.9 The agent has provided some additional information, clearly displaying the levels between the proposed development, the existing Community Centre and the windows concerned. Due to a level difference, and the single storey nature of the development, and the setting back of the fence from the boundary with the pathway, it is considered that sufficient light would still be accessible through to the side windows, and the detriment would not be significant enough to warrant a refusal of planning permission.
- 11.10 Therefore, it is considered that the proposed development complies with UDP Policies D7, D8, and EP4.
- #### Lighting
- 11.11 Neighbours have raised concern in respect of lighting along the public footpath, between the plot number 9 and the Community Centre. There, is one existing lamppost located in the front garden area of Plot 9 lighting up the pathway. There is concern that the dwelling plus the boundary fencing would darken the pathway, which may also lead to safety issues.
- 11.12 This scheme has since its submission, been amended to include a setting back of the boundary fencing on plot No. 9 where it abuts the footway. Upgrading of lighting has already taken place in Townson Road, leading to the proposed site. Wolverhampton City Council Lighting Division have confirmed that it is intended to update the lighting to Hodson Close and the public footpaths once

development is completed. Therefore, it is considered that the layout is acceptable compliant with UDP D10, AM9 and BCCS TRAN4.

Environmental Protection

- 11.13 The north eastern boundary of the application site is adjacent to the Ashmore Park Community Centre. The centre has a license to play, amongst other activities, amplified music and voice and also provides facilities for dance classes. There is therefore the potential for noise disturbance to future occupiers of the residential development, especially plot 9.
- 11.14 In the previous outline application, Environmental Protection carried out three separate assessments when noise levels generated by the Community Centre were observed and monitored. These visits were made during programmed events at the Community Centre, and on all occasions the windows to the Community Centre were open to present a 'worst case scenario'.
- 11.15 It was concluded that whilst noise levels were audible they were not considered to be excessive. It is therefore considered that noise emanating from the Community Centre would not be to such a level to adversely affect future residential amenity to an unacceptable degree.
- 11.16 The layout of the properties have also been carefully considered at plot 9, whereby, there are no windows positioned along the boundary with the Community Centre, internal render is proposed for extra sound proofing and triple glazing. Therefore, the proposal is compliant with UDP Policy EP5.

Compensation for loss of public open space

- 11.17 The application site forms part of a larger, linear open space running alongside Griffiths Drive. The outline application specified via condition that the development would be subject to a contribution of £55,643 to compensate for loss of open space, in accordance with policy R3 and H8 of the current UDP to be spent on the provision and/or enhancement of open space, sport and recreation facilities in the local area.
- 11.18 It has been agreed that this contribution would best be spent on improving the appearance and functionality of the retained Griffiths Drive Open Space through provision of a 180m brick wall along the whole rear boundary of the site, fronting Griffiths Drive. The cost to the developer of providing the wall would be approximately £50,000. Therefore, there is no requirement to secure an additional financial contribution from the developer.
- 11.19 The applicant confirmed that they are a local building firm, turning over several sites a year, selling at competitive prices for today's economic climate. Due to the site not being within a high profile area, resale values, and the additional costs (Compensation for loss of open space, amounting to £55,643 and the provision of the brick wall) would simply mean that the profit margin would become too small to be a viable project.
- 11.20 It is considered that the necessity for the brick screen wall to enable the development to respond well to its surroundings outweighed the requirements for the compensation for the loss of Public Open Space. Therefore, it was agreed that payment for loss of open space would be waived in this instance, as the additional payment would jeopardise the sale and development of this land, resulting in the loss of a positive attribution to the surrounding area.

12. Conclusion

- 12.1 The scale of the dwellings and the site layout satisfactorily demonstrates that the proposal for the erection of nine single storey dwellings (seven detached two semi

detached) could be accommodated within the site, with an acceptable design, layout, without serious detriment to neighbours amenity and with sufficient amenity, access and parking arrangements.

- 12.2 It is concluded that the activities which occur at Ashmore Park Community Centre would not cause unacceptable levels of noise disturbance to future occupiers of the residential development, with appropriate layout of dwellings, triple glazing, and insulation, further reducing the potential for disturbance. The scale and location of the dwellings and boundary treatments would not result in any serious loss of light to the community building, and the programme for updating lighting to both Hodson Close and the public footpaths will improve lighting and surveillance.
- 12.3 It is also concluded that the requirement for compensation for the loss of open space, will be met through the provision of improvements to the adjoining Griffiths Drive Open Space, in the form of a boundary wall

- 12.4 Therefore, the proposal is considered to be consistent with:

UDP Policies - AM12, AM15, AM9, D2, D3, D4, D5, D6, D7, D8, D9, D10, EP4, EP5.

BCCS Polices - ENV2, ENV3, CSPE, HOU2, HOU3, TRAN4 and TRAN5.

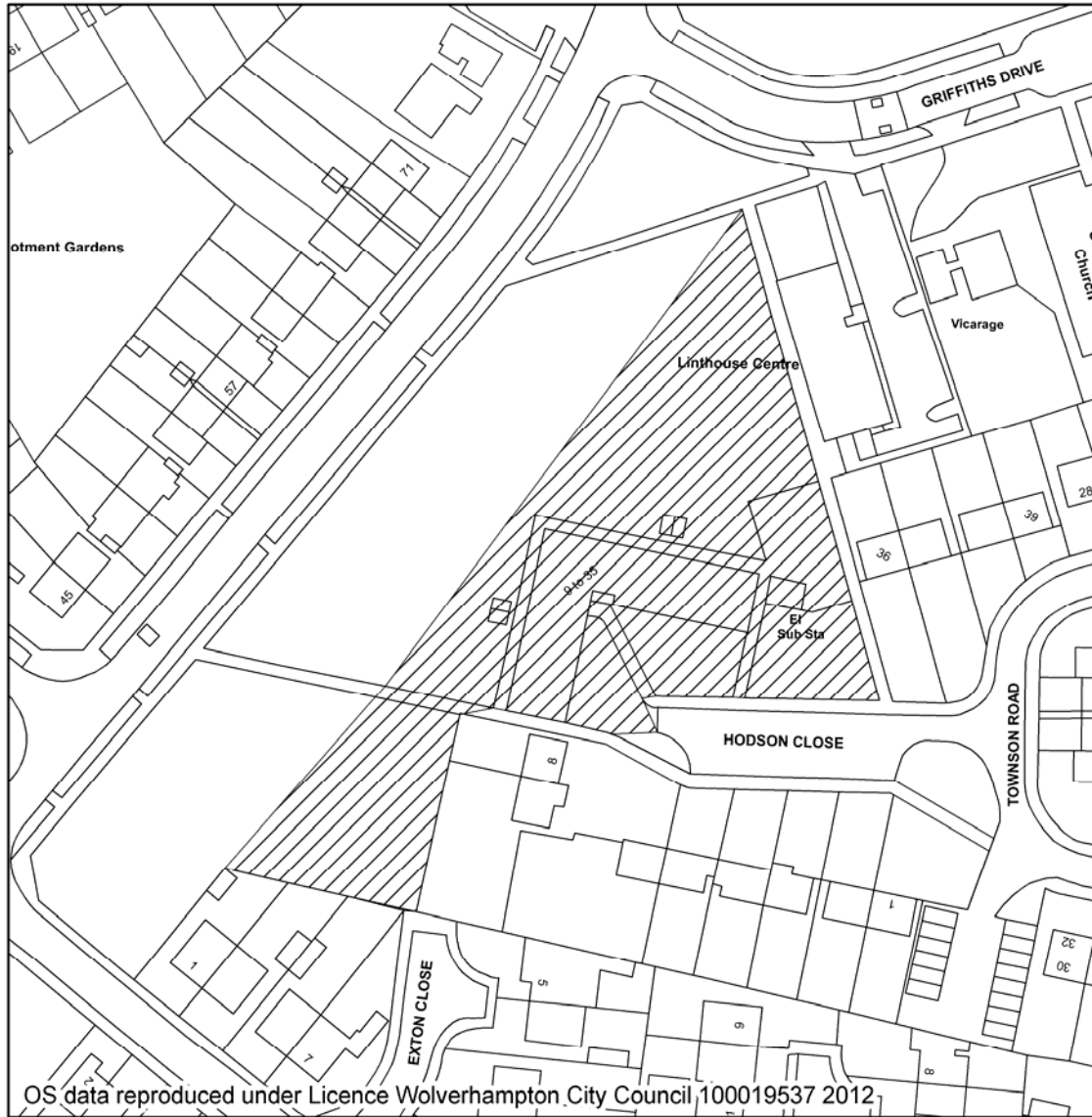
Subject to satisfactory consultation replies from The Coal Authority, National Grid, GPU Power Distribution and Severn Trent.

13. Recommendation

- 13.1 That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 11/01004/FUL, subject to:

1. Satisfactory outstanding internal and external consultation responses.
2. Any appropriate conditions including;
 - Submission of materials
 - Mining Site Investigation
 - Hours of operation during construction
 - Land contamination site investigation
 - Sustainable Drainage
 - Parking Provision
 - Implementation of Landscaping
 - Maintenance of Landscaping and boundary wall
 - Disabled Access
 - Boundary treatments to be retained/implemented
 - Removal of Permitted Development Rights (extensions, outbuildings, dormer windows) to certain plots
 - Acoustic Glazing and Insulation to Plot No. 9

Case Officer : Ms Tracey Homfray
Telephone No : 01902 555641
Head of Planning – Stephen Alexander



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Planning Application No: 11/01004/FUL

Location	Former Hodson House, Hodson Close, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 395891 301628
Plan Printed	15.02.2012	Application Site Area	4465m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 12/00114/FUL

WARD: Ettingshall

RECEIVED: 02.02.2012

APP TYPE: Full Application

SITE: All Saints Church, All Saints Road, Wolverhampton

PROPOSAL: Installation of photovoltaic solar panels on the southern chancel roof slope

APPLICANT:

Rev Sarah Schofield
All Saints Vicarage
2A Vicarage Road
Wolverhampton
WV2 1DT

AGENT:

Mr Stephen Hart
Horseley Huber Architects
Castleberg Studio
134 Newport Road
Stafford
ST16 2HB

COMMITTEE REPORT:

1. Site Description

- 1.1 All Saints Church is a late 19th century church located on the corner of All Saints Road and Steelhouse Lane, approximately 500m south of the Steelhouse Lane/Bilston Road junction.
- 1.2 The building has been subdivided, with the eastern end occupied by the church and the rest leased to the Council as a community centre.
- 1.3 To the south are houses in Parkyn Street. To the north, on the opposite side of All Saints Road are playing pitches. To the east, on the opposite side of Steelhouse Lane are a public house, commercial premises and land waiting to be developed for housing.

2. Application Details

- 2.1 The application proposes 40 photovoltaic panels on the southern roof slope of the eastern part of the building. Each panel would measure 1.64m by 0.99m and they would be arranged in four rows, with ten in each row. The panels would be black.
- 2.2 The supporting statement explains that the installation of solar panels is proposed in conjunction with necessary roof repairs. It is estimated that the proposed installation would generate between £75,000 and £100,000 over 25 years, which would be put towards heating and maintaining the building. The panels need to be installed and operational by 31st of March because of new requirements regarding the energy efficiency of buildings on which solar panels are to be installed.

3. Planning History

- 3.1 D/1274/87 - Conversion of existing church nave north and south aisles and porch into Community Centre. Remainder of church retained for worship. Existing church hall retained as part of Community Centre - Granted 03.06.1987.

4. Relevant Policies

The Development Plan

- 4.1 Wolverhampton's Unitary Development Plan (UDP)
 - D6 Townscape and Landscape
 - D9 Appearance
 - D13 Sustainable Development (Natural Resources and Energy Use)
 - HE1 Preservation of Local Character and Distinctiveness (Part 1)

- 4.2 Black Country Core Strategy (BCCS)
 - ENV2 Historic Character and Local Distinctiveness
 - ENV3 Design Quality
 - ENV7 Renewable Energy

Other relevant policies

- 4.3 PPS1: Delivering Sustainable Development
- PPS: Planning and Climate Change - Supplement to PPS1
- PPS5: Planning for the Historic Environment
- PPS22: Renewable Energy
- Draft National Planning Policy Framework

5. Environmental Impact Assessment Regulations

- 5.1 This development proposal does not fall within the definition in the EIA regulations of projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment is required.

6. Publicity

- 6.1 No representations received.

7 Legal Implications

- 71 General legal implications are set out at the beginning of the schedule of planning applications [LD/130220120.O].

8. Appraisal

- 8.1 BCCS policy ENV7 Renewable Energy encourages renewable energy where it would not result in significant harm. The Government's Draft National Planning Policy Framework introduces "a presumption in favour of sustainable development".

- 8.2 The proposed solar panels would be located on the rear roof slope of the church. Nevertheless they would be visible from the south, from Steelhouse Lane and Parkyn Street and in distant views across a wider area. However, they would not be unduly unsightly and would only occupy a minor proportion of the total southern roof area of the building. They would not cause significant harm, to visual amenity, neighbours' amenity, or the character of the historic building. They would generate low carbon electricity and the financial return would help facilitate the community use of the historic building and support its long term maintenance.

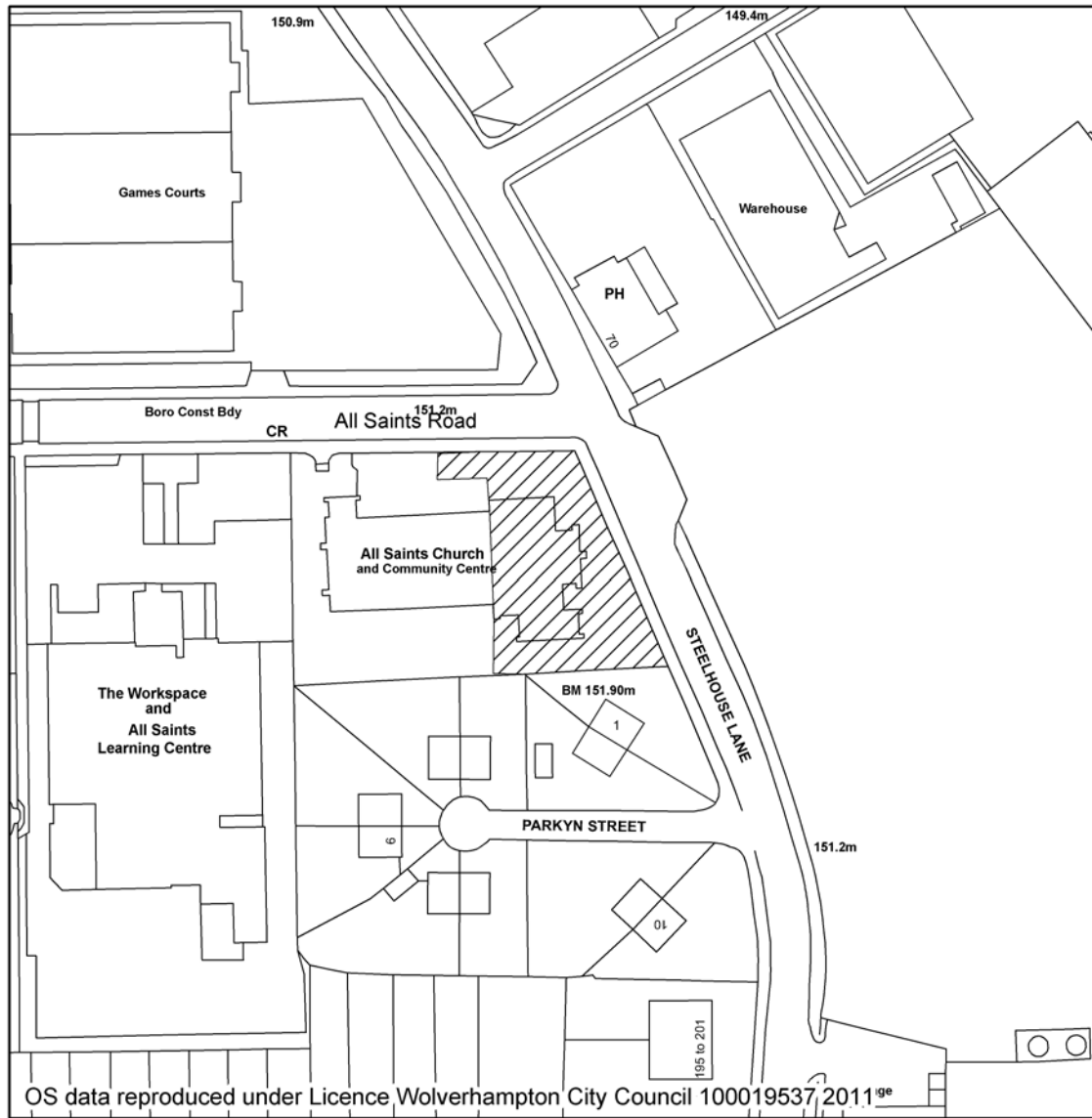
9. Conclusion

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

10. Recommendation

10.1 That planning application 12/00014/FUL be granted subject to a standard condition requiring development to commence within three years.

**Case Officer : Mr Ian Holliday
Telephone No : 01902 555630
Head of Planning – Stephen Alexander**



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Planning Application No: 12/00114/FUL

Location	All Saints Church, All Saints Road, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 392261 297779
Plan Printed	15.02.2012	Application Site Area	858m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01164/FUL

WARD: Blakenhall

RECEIVED: 08.12.2011

APP TYPE: Full Application

SITE: 106 Birmingham Road, Wolverhampton, WV2 3NH

PROPOSAL: Change of use from retail to gym

APPLICANT:

Hawkstone Properties (Wolverhampton) LLP
c/o Agent

AGENT:

Mr James Mumby
Pegasus Planning Group
5 The Priory Old London Road
Canwell
Sutton Coldfield
B75 5SH

COMMITTEE REPORT:

1. Site Description

- 1.1 The site, 106 Birmingham Road, occupies a fairly prominent position, on a main arterial route into the city. This site is located approximately 1.3km south of the City Centre and covers an area of approximately 0.55 ha.
- 1.2 The premises are currently unoccupied and have been for several years. It was last used as a furniture showroom and associated car park.
- 1.3 The northern part of the site is occupied by a free standing brick building, with quite extensive glazed curtain walling along the eastern and southern elevations. At the south-east corner of the building is a raised "tower" structure. Principal vehicular and pedestrian access is from Birmingham Road, although a secondary access is available from Cousins Street. The building has a gross internal area of 2,337 sq m (25,155 sq ft) and the car park has space for 87 vehicles.
- 1.4 To the west, the site adjoins small commercial premises; otherwise the site is surrounded by houses. As the crow flies, the site is approximately 150 metres east of the Dudley Road/Blakenhall local centre. However, on foot the site is approximately 300 metres from the local centre. By car, the distance is considerably greater as a number of roads which previously connected Dudley Road and Birmingham Road have now been closed as through routes.

2. Application details

- 2.1 The application proposes the occupation of the whole premises by a gym operator. No alterations to the external appearance are proposed.

3. Planning History

- 3.1 This proposal follows the recent approval of an application to vary condition 3 of the original 2002 consent for the unit (11/00687/VV). This allowed the addition of footwear to the list of goods permitted to be sold from the premises. However, since the

submission of that application, the interest in the unit from the sale of shoes has fallen away.

4. Relevant policies

4.1 National Planning Guidance

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Growth
PPG13 Transport
PPG24 Planning and Noise

4.2 Black Country Core Strategy

CSP1 The Growth Network
CSP2 Development Outside the Growth Network
EMP1 Providing for Economic Growth
CEN1 The Importance of the Black Country Centres for the Regeneration Strategy
CEN2 Hierarchy of Centres
CEN3 Growth of Strategic Centres
CEN4 Regeneration of Town Centres
CEN5 District and Local Centres
CEN6 Meeting Local Needs for Shopping and Services
CEN7 Controlling Out-of-Centre Development
TRAN2 Managing Transport Impacts of New Development

4.3 Wolverhampton's Unitary Development Plan

SH1 Centres Strategy
SH2 Centres Uses
SH3 Need and the Sequential Approach
SH4 Integration of Development into Centres
SH5 Wolverhampton City Centre
SH11 New Retail Development Comp. Goods
SH12 New Retail Development – Bulky Goods
SH13 New Retail Development Foodstores
CC1 City Centre Shopping Strategy

5. Environmental Impact Assessment Regulations

5.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (SI2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.

5.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 No representations received.

7. Internal consultees

- 7.1 Transportation Development – See appraisal
- 7.2 Environmental Services – No objections in principle. Details of plant and equipment should be provided and due to the proximity of local residents hours of opening should be restricted. Alternative uses within the same Use Class may have a significantly greater impact on residents. The proposed use should therefore be restricted.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications. Under the Use Classes Order 2010, the new use as a gymnasium would fall under Use Class D2, Assembly and Leisure and in light of the proximity to existing centres, the restrictions discussed as paragraphs 9.5, 9.7 and 11 below should be attached to any grant of permission. Legal implications reference LM/17/022012/E.

9. Appraisal

- 9.1 The key issues in determining the application are

- Consistency with the Development Plan
- Transportation
- Residential Amenity

Consistency with the Development Plan

- 9.2 The application site occupies an out-of-centre location. The unit has been unoccupied for a considerable period of time - since January 2005. Previous planning applications for a banqueting suite and foodstore have been inappropriate and not been permitted.
- 9.3 The proposal would have a positive impact on physical and economic regeneration by having the potential to bring a long term vacant unit back into beneficial use. The proposal is likely to have a positive impact on local employment, through the estimated creation of 17 jobs.
- 9.4 Despite the relatively close proximity of Blakenhall Local Centre, there is no clear evidence that the proposed use would cause any significant adverse impacts.
- 9.5 Other uses with Use Class D2, such as a banqueting suite, have previously been considered unacceptable at this site due to the likely impact on existing centres, residents and traffic and, only recently, the use for the site for the sale of footwear, has not proved viable. Therefore, it is recommended that any grant of permission is restricted specifically to that of a 'gym'. To minimise the impact on existing centres, it is also important to ensure that the maximum gross internal floor area is restricted to 2,337sqm.

Transportation

- 9.6 There is some concern that the proposal may result in potential overspill parking, but it is not possible to determine the likelihood or potential impact of this issue. However, if an issue did arise, the local highway authority would have the power to take appropriate steps to address on street parking. A car park management plan should be submitted prior to occupation in order to reduce the risk of the proposal leading to problems on the highway.

Residential Amenity

- 9.7 The site is in very close proximity to existing residential properties, but the occupation of the premises, for the use applied for, would not have a detrimental impact on the amenity of neighbouring occupiers provided that the hours of opening are controlled and details of plant and machinery are submitted.

10. Conclusion

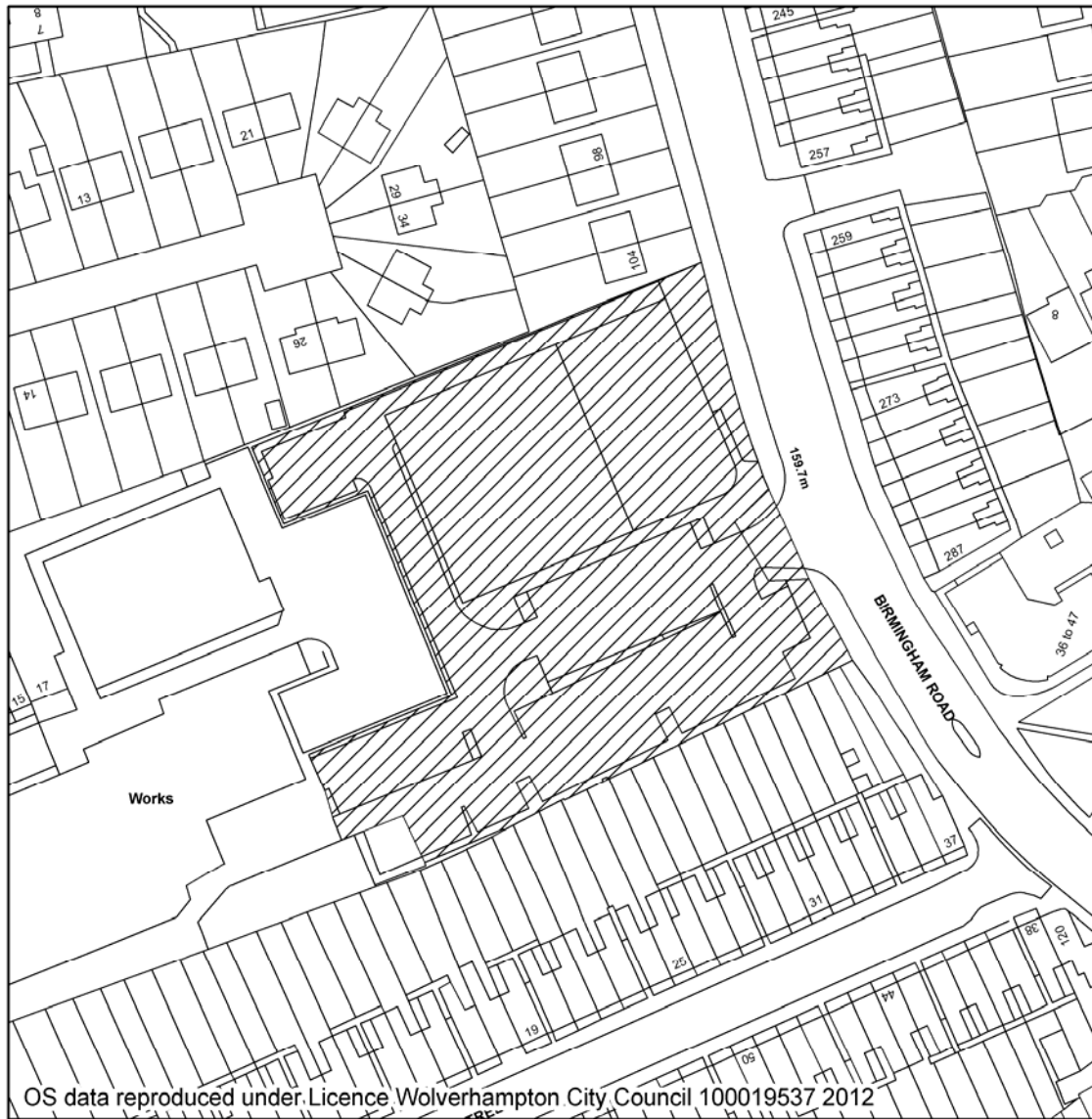
- 10.1 The site has been vacant for approximately seven years. The proposal represents a scheme which would provide employment opportunities, economic investment and the opportunity to bring back into use a currently disused site on a strategically important route within the city. The proposal would not cause significant harm to established centres, in particular the Dudley Road/Blakenhall centre. The proposal may lead to an increase in on-street parking, but it is considered that this issue is outweighed by the positive planning aspects of the proposal and, on balance, the proposal is acceptable.

11. Recommendation

- 11.1 That Planning application 11/01164/FUL be granted subject to the following conditions:

- Remove permitted development for change of use within Use Class D2.
- Restrict maximum gross floor area
- Submission of delivery strategy
- Restrict hours of operation
- Establishment of clockwise circulatory pattern for car park users
- Cycle and motorcycle parking
- Submission of a car park management plan
- Details of any external plant or machinery/extraction systems

Case Officer : Mr Richard Pitt
Telephone No : 01902 551674
Head of Planning – Stephen Alexander



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Planning Application No: 11/01164/FUL

Location	106 Birmingham Road, Wolverhampton, WV2 3NH		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391707 297342
Plan Printed	15.02.2012	Application Site Area	5482m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01034/FUL

WARD: Penn

RECEIVED: 05.11.2011

APP TYPE: Full Application

SITE: 7 Rycroft Cottages, Coton Road, Wolverhampton

PROPOSAL: First floor side extension raised patio area with new fencing and steps to rear garden and new ground floor side elevation window.

APPLICANT:

Mrs Sharma
7 Rycroft Cottages
Coton Road
Wolverhampton
WV4 5AS

AGENT:

A Priest
10 Beauty Bank
Cradley Heath
Warley
B64 7HY

COMMITTEE REPORT:

1. Site Description

- 1.1 The application property is one of two modern detached residential properties built around 2003. The property is set on a relatively generous plot which is accessed via a private drive. Due to the undulating land levels of the location the property is set higher than the neighbouring properties to the south of the site in Westminster Avenue. The property has had a rear conservatory built under permitted development rights.
- 1.2 The location is an established residential area with the application property surrounded by houses on three sides and parkland adjacent to the entrance.

2. Application Details

- 2.1 This application was deferred from Planning Committee on the 31 January 2012 to allow members to make a site visit.
- 2.2 The application seeks full planning permission for a raised rear patio area immediately adjacent to the rear of the property, a first floor side extension above the existing garage and a window in the ground floor side elevation.
- 2.3 The application is part retrospective in that the patio area has already been raised to a height of 1.1m above the rear garden level. Currently a section of the patio extends along the adjoining boundary with 6 Rycroft Cottages this part of the patio will be removed as part of the scheme.
- 2.4 There is also a proposal for a first floor extension to be built over the existing garage to provide additional bedrooms and bathroom facilities. The first floor side extension will be stepped back beyond the front elevation, and below the ridge height of the existing dwelling, and will therefore appear subordinate to the host property.
- 2.5 The third element of the application is a 1.2m wide window in the ground floor side elevation adjacent to the adjoining boundaries with properties in Westminster Avenue.

3. Planning History

- 3.1 In 1997 a planning application was received for the erection of a two storey residential property. The application was subsequently refused on the 28 August 1997. (97/0661/OP)
- 3.2 In 2001 an application for a detached dwelling with a double garage was submitted and subsequently refused on the 9 April 2001 (01/0137/FP).
- 3.3 A planning application was submitted in 2003 for the erection of two detached dwellings and was granted planning permission on the 4 August 2003.

4. Relevant Policies

The Development Plan

- 4.1 Wolverhampton's Unitary Development Plan

D4 - Urban Grain

D7 - Scale - Height

D8 - Scale - Massing

D9 – Appearance

- 4.2 Black Country Core Strategy

ENV3 - Design Quality

CSP4 - Place Making

Other relevant policies

- 4.3 PPS1 – Delivering Sustainable Development

- 4.4 Wolverhampton's Supplementary Documents

SPG4 - Extension to Houses

5. Environmental Impact Assessment Regulations

- 5.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application. (This is explained at the beginning of the schedule of planning applications).
- 5.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 Two letters from neighbours have been received their reasons for objection can be summarised as follows:

- Visually intrusive
- Overlooking causing loss of privacy
- Overbearing impact
- The development is out of scale, character and appearance and does not respect the established pattern of development.

7. Legal Implications

7.1 General legal implications are set out at the beginning of the Schedule of planning applications (LD/14022012/A)

8. Appraisal

8.1 The key Issues are:

- Design and Scale
- Impact on Neighbours

Design and Scale

8.2 The proposed extension is considered to be compatible in terms of scale and design with the existing dwelling and will be in-keeping with the scale of the adjacent property at 6 Rycroft Cottages. The first floor side extension will be stepped back beyond the front elevation, and below the ridge height of the existing dwelling, and will therefore appear subordinate to the host property.

8.3 The first floor extension will follow the footprint of the existing garage, the design and materials will also be in-keeping with the existing dwelling and therefore the extension will not appear out of place or overly dominant.

Impact on Neighbours

8.4 Due to the undulation of the land levels at this location, the application property is set higher than the neighbouring properties in Westminster Avenue, whose rear gardens back on to the site. There is substantial planting along the adjoining boundaries of the Westminster Avenue properties and the application site which provides considerable screening between the properties. However the neighbours point out that when the trees and bushes are periodically cut back their effectiveness as a barrier is diminished. The applicant has submitted amended plans which include the provision of a 1.8m close boarded fence along the raised patio area adjacent to the Westminster Avenue properties to give additional privacy. It is considered this fence will provide adequate protection against overlooking between the properties from the patio area.

8.5 Neighbours have also raised concerns regarding a proposed window at ground floor level in the side elevation adjacent to the Westminster Avenue boundaries. However, the 1.8m close boarded fence to be erected on the raised patio area will be immediately adjacent to this window, the fence will afford adequate protection from any potential overlooking from this window.

8.6 The first floor extension will not have an overbearing impact on neighbouring properties due to its scale and location within the site. However there is a window within the first floor that has the potential to cause overlooking into the rear gardens of the adjoining properties. If planning permission is granted a condition would be placed

on the Decision Notice restricting the window to an obscure glazed non opening design. The applicant has indicated their agreement to this restriction. It is therefore considered the development will not have a significant affect adverse affect on the neighbouring properties.

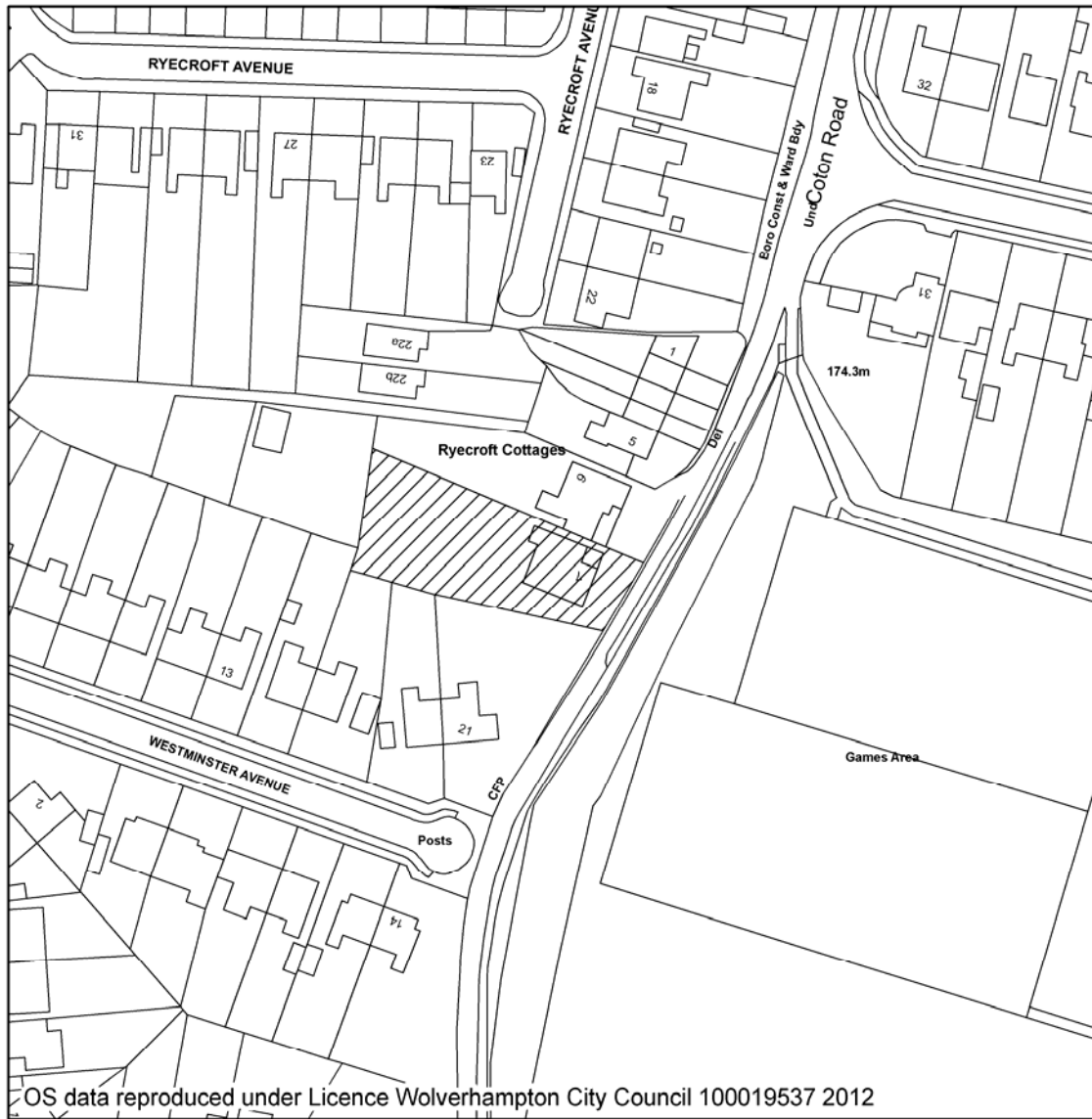
9. Conclusion

- 9.1 The proposed extension is considered to be compatible in terms of scale and design with the existing dwelling and all external finishes will match the existing. Providing the 1.8m close boarded fence is installed on the raised patio area this element is acceptable. The proposal will not significantly affect the amenity of any neighbouring properties or appear at odds with its surroundings. As such, the proposal is considered acceptable in the context of its surroundings and accords with the general criteria set out in policies D4, D7, D8 and D9 of the UDP, policies CSP4 and ENV3 of the BCCS, and the advice contained in Supplementary Planning Guidance 4.

10. Recommendation

- 10.1 That planning application 11/01034/FUL be granted subject to any appropriate conditions including;
- Materials to match existing.
 - 1.8m close boarded fence to be erected and maintained.
 - First floor window to be obscurely glazed and non opening.

Case Officer : Mr Colin Noakes
Telephone No : 01902 551124
Head of Planning – Stephen Alexander



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Planning Application No: 11/01034/FUL

Location	7 Ryecroft Cottages, Coton Road, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390671 296172
Plan Printed	15.02.2012	Application Site Area	790m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/00972/FUL

WARD: Bushbury North

RECEIVED: 11.10.2011

APP TYPE: Full Application

SITE: 1 Gatcombe Close, Wolverhampton, WV10 8TW

PROPOSAL: Two storey side extension

APPLICANT:

Mr Swaroop Charmling
1 Gatcombe Close
Wolverhampton
WV10 8TW

AGENT:

Mr R Peat
RP Surveys
17 Southware Close
Lichfield
Staffs
WS13 7SH

COMMITTEE REPORT:

1. Introduction

- 1.1 This application was deferred by Planning Committee on 31st January 2012 for a site visit.
- 1.2 No changes have been made to the proposed scheme since the application was originally presented to the Planning Committee on the 31st January 2012.

2. Site Description

- 2.1 The application site comprises of a semi detached property located in a prominent corner location. The southern (side) elevation of the property faces the rear garden areas to properties extending along Abbeyfield Road. The closest property in Abbeyfield Road is approximately 12 metres away from the application site. The surrounding area is predominantly residential and comprises of semi detached dwellings.

3. Application details

- 3.1 The application proposes a two storey side extension with an additional two storey projection at the front. The two storey extension will accommodate an additional en-suite bedroom and conversion of existing garage into a sitting room.
- 3.2 The extension would project 1.5m to the front of the building, sitting on top of the existing garage wall. The extension will be built in line with the existing property to the rear.
- 3.3 The application has been revised; amended plans have been submitted reducing the overbearing impact and bulk of the extension, to address the concerns raised by neighbouring residents.

- 3.4 The application has been amended so that the first floor element of rear projection has been removed and the extension would be in line with the rear of the dwelling, furthermore the proposed first floor side facing window has also been deleted from the proposal

4. Planning History

- 4.1 99/0150/FP for Single storey rear extension, addition of porch and conversion of carport to brickwork garage,
Granted, dated 09.04.1999.

5. Constraints

- 5.1 Adjacent to South.Staffs administrative boundary.
- 5.2 Mining Advice area - Name: Standing Advice - Data Subject to Change
- 5.3 Mining Areas (Building Consultancy) - Name: Northwood Park - Moseley

6. Relevant Policies

- The Development Plan
6.1 Wolverhampton's Unitary Development Plan

D4 - Urban Grain
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance

- Other relevant policies
6.2 PPS1 – Delivering Sustainable Development
- 6.3 Wolverhampton's Supplementary Documents
SPG4 – Extension to Houses
- 6.4 Black Country Core Strategy (publication document Nov 2009).
ENV3 - Design Quality

7. Environmental Impact Assessment Regulations

- 7.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.
- 7.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

8. Publicity

- 8.1 Two representations received objecting and one requesting to speak at planning committee on the following grounds:-
- Overbearing Impact
 - Loss of light

9. Internal Consultees

- 9.1 Not necessary

10. External Consultees

- 10.1 Not necessary

11. Legal Implications

- 11.1 General legal implications are set out at the beginning of the schedule of planning applications. LD/14022012/L

12. Appraisal

- 12.1 The key issues are: -
- Design
 - Street Scene
 - Neighbouring Amenities

Design

- 12.2 The amended scheme is in keeping with both the existing and those surrounding, with a similar massing, height and design with a gable roof design. Although SPG 4 recommends set back should be 0.75m, in this circumstance it is considered that the terracing effect would not occur due to the dwelling's end location. The proposal is considered to be compliant with BCCS Policy ENV3 and UDP Policies D4, D7, D8 and D9.

Layout

The property has sufficient amenity space to support the proposal which increases the number of bedrooms by one. There is sufficient car parking provided by an existing drive. It is therefore considered that the proposal is acceptable in relation to policies D4 and AM12.

Neighbouring Amenity

The proposed extension would have no direct impact on any of the neighbouring properties. There is sufficient distance between the structure and neighbouring properties along Abbeyfield Road, and the extension has been amended so that it would not appear overly dominant or obtrusive. Therefore it is considered that the proposal meets the requirements of Planning Policies D7 and D8 and SPG4

13. Conclusion

- 13.1 It is considered that proposed application has been suitably amended taking into consideration the existing character and design of the property and the street scene it forms part of. The garden space and parking area is sufficient enough to support the proposal, and there would be no significant detriment to neighbouring amenities, such as outlook, light, sunlight and overbearing. The proposal is therefore compliant with UDP policies D4, D7, D8 and D9, AM12 and BCCS ENV3.
- 13.2 The extension is of suitable scale and would be sited at a sufficient distance from the neighbouring properties to ensure that there would be no undue adverse impact to neighbouring amenity. The proposal accords with policies D7, D8 and SPG 4

14. Recommendation

- 14.1 That planning application 11/00972/FUL be granted, subject to standard conditions, including the following:
- Matching Materials
 - No further side windows to be inserted.

Case Officer : Ms Sukwant Grewal
Telephone No : 01902 551676
Head of Planning – Stephen Alexander



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Planning Application No: 11/00972/FUL

Location	1 Gatcombe Close, Wolverhampton, WV10 8TW		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 392612 303882
Plan Printed	15.02.2012	Application Site Area	260m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01172/FUL

WARD: Tettenhall Regis

RECEIVED: 06.12.2011

APP TYPE: Full Application

SITE: 16 Wrekin Drive, Tettenhall, Wolverhampton

PROPOSAL: Proposed 2 Storey Side and Single Storey Rear Extension

APPLICANT:

Mr I Wilkins
16 Wrekin Drive
Tettenhall
Wolverhampton
WV6 8UJ

AGENT:

Mr Jacob Sedgemore
Stoneleigh Architectural Services Ltd
Compton Wharf
Bridgnorth Road
Wolverhampton
WV8 1EL

COMMITTEE REPORT:

1. Introduction

- 1.1 This application was deferred by the Planning Committee on 31st January 2012 in order to allow for a site visit to be carried out.
- 1.2 No changes have been made to the proposed scheme since the application was originally presented to the Planning Committee on the 31st January 2012.

2. Site Description

- 2.1 The application site consists of a semi-detached dwelling located on the western flank of a small cul-de-sac (Wrekin Drive) within the north-west of the Tettenhall Regis ward.
- 2.2 The property is surrounded by residential properties. The rear boundary adjoins a property which fronts onto Yew Tree Lane, the north and south boundaries adjoin neighbouring properties within Wrekin Drive, and the east boundary adjoins the estate road. The properties within the estate all contain detached or semi-detached dwellings, a number of which have been extended.
- 2.3 A clearly defined building line is formed by the existing dwelling and the adjoining properties. The dwelling faces the estate road, however it is set back by approximately 10m and between both exist a vehicular parking and amenity area. A garden area exists to the rear of the property which is 26m in length.
- 2.4 The dwelling itself is a mirror image of the adjoining neighbouring dwelling to the south. The three bedroom dwelling has a frontage width of 7.2m by 8m in depth. The dwelling is two storeys high and has a pitched tiled roof. The external walls are finished with facing brickwork. An attached flat roof garage is located on the side / rear of the dwelling, and a conservatory on the rear elevation which is an addition to the original dwelling.

3. Application details

- 3.1 The proposed development seeks full planning permission for the construction of a single storey extension on the rear elevation of the dwelling, and a two storey side extension.
- 3.2 The existing conservatory on the rear elevation will be demolished to accommodate the single storey extension. The conservatory measures 5.2m in length and projects beyond the rear elevation by 3.9m. The proposed extension will stretch the length of the rear elevation of the dwelling and garage, and will project outwards by 4m. The extension will be in the form of a lean-to structure, with a tiled roof and a facing brickwork finish to the external walls to be in-keeping with the existing dwelling.
- 3.3 The proposed two-storey side extension will involve the demolition of the existing garage and its replacement with an extension measuring 5.65m in length by 2.8m in width. The extension will be stepped back behind the front building line by 3.3m and will project beyond the rear elevation by 0.85m. The extension will have a hipped roof and will be lower than the ridge height of the existing dwelling.
- 3.4 The design of the side extension has been amended to ensure the proposal does not detrimentally affect the amenity of the residents of the neighbouring property (no.15 Wrekin Drive). The extension will be built on the boundary of the property and the design of the roof has been amended to ensure the roof/guttering does not overhang and cross the boundary.
- 3.5 The ground floor of the extension will include a new garage, family room, dining area and utility room. The first floor extension will accommodate a bedroom, however the entire first floor will be reconfigured and as a result there will no additional bedrooms within the dwelling.

4. Planning History

- 4.1 A/C/1053/79 – Lounge extension and new kitchen – Granted 06.06.1979.

5. Constraints

- 5.1 Adjacent to South Staffordshire Council
Smoke Control Zone - Wolverhampton Borough Council - Wightwick Area
Source Protection Zone - Source Protection Zones: 1

6. Relevant Policies

- The Development Plan
6.1 Wolverhampton's Unitary Development Plan (UDP):
D4 Urban Grain
D7 Scale – Height
D8 Scale - Massing
D9 Appearance
- Black Country Core Strategy (BCCS):
CSP4 - Place Making
ENV3 - Design Quality

Other relevant policies

- 6.2 PPS1 – Delivering Sustainable Development
- 6.3 Wolverhampton’s Supplementary Documents
Supplementary Planning Guidance 4 (SPG4) – Extension to Houses

7. Environmental Impact Assessment Regulations

- 7.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999/293) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.
- 7.2 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required. [Delete as necessary]

8. Publicity

- 8.1 Four representations have been received from neighbouring properties objecting to the proposal on the following grounds:
- Loss of light;
 - Out of character;
 - Unacceptable visual impact;
 - Detrimental to the street scene;
 - Potential terracing effect;
 - Disturbance and inconvenience during the construction phase;
 - New foundations might cause disturbance to the foundation and the structural integrity of the neighbouring property;
 - Scaffolding will not be acceptable;
 - Future maintenance would be difficult.
- 8.2 A neighbouring resident addressed your Committee on the 31st January 2012.

9. Internal Consultees

- 9.1 None

10. External Consultees

- 10.1 None

11. Legal Implications

- 11.1 General legal implications are set out at the beginning of the Schedule of planning applications (LD/13022012/K)

12. Appraisal

12.1 The key issues are: -

- Design and Scale;
- Impact on Neighbours;
- Setting in the Street Scene.

Design and Scale

12.2 The proposed extension is considered to be compatible in terms of scale and design with the existing dwelling and will be in-keeping with the scale of both flanking neighbouring properties. The two storey side extension will be stepped back beyond the front elevation, and below the ridge height of the existing dwelling, and will therefore appear subordinate.

12.3 It is recognised that the footprint of the rear extension is large compared to the original footprint of the dwelling, however the majority of this area is already developed by a conservatory, garage and WC. The design and use of materials will also be in-keeping with the existing dwelling and therefore the extension will not appear out of place or overly dominant.

Impact on Neighbours

12.4 A number of neighbouring residents believe that the extension would detrimentally affect their amenity. However, it is considered that the proposed extension would not appear overbearing or result in an unacceptable loss of light to both adjoining neighbouring properties.

12.5 The two storey extension will project beyond the rear elevation by 0.85m however this will be in line with the projecting gable feature to the rear of the 15 Wrekin Drive (as extended following planning permission 01/0970/FP). The extension will be constructed along the boundary with no.15; however the only window within the side elevation contains obscure glazing and provides light to a garage. Also, due to the orientation of the dwelling and the scale and design of the rear extension there should be no impact on no.17 to the south.

12.6 The potential disturbance that will be caused to neighbouring residents during the construction phase will be minimal for a development of this scale. However, should planning permission be granted a condition can be imposed controlling the hours of work.

12.7 The concerns raised in relation to the future maintenance of the extension and the works associated with the construction (i.e. laying foundations / scaffolding) of the extension, as it will be on the boundary with no.15 Wrekin Drive, are not material planning considerations. The issue of gaining access for the future maintenance of the extension and works next to a boundary / party wall will need to be discussed and agreed between both landowners, particular through The Party Wall Act 1996.

Setting in the Street Scene

12.8 The front of the two storey extension will be the only element of the proposal that will be visible from the public realm. The extension will be set back 3.3m behind the front elevation and will appear subordinate. As such, it is not considered that the proposal will appear out of place or at odds with the surrounding environment. A number of dwellings within the cul-de-sac have extensions of a similar scale and design, including the adjoining property (no.15).

12.9 The existing garage is already located on the boundary with no.15 although the garage is single storey and the proposal involves the construction of a two storey structure. However, due to the overall scale and design of the extension a terracing effect will not

be created. A number of the existing dwellings (as extended) within the cul-de-sac fill the width of their curtilages and as such the proposal will not appear out of place in the street scene.

13. Conclusion

- 13.1 The proposed extension is considered to be compatible in terms of scale and design with the existing dwelling and all external finishes will match the existing. The proposal will not significantly affect the amenity of any neighbouring properties or appear at odds with its surroundings. As such, the proposal is considered acceptable in the context of its surroundings and accords with the general criteria set out in policies D4, D7, D8 and D9 of the UDP, policies CSP4 and ENV3 of the BCCS, and SPG4.

14. Recommendation

- 14.1 That planning application 11/01172/FUL be granted subject to any appropriate conditions including;
- Materials to match existing
 - Removal of PD rights for the dwelling
 - Hours of operation during construction.

`Case Officer : Mr Morgan Jones
Telephone No : 01902 555637
Head of Planning – Stephen Alexander



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Planning Application No: 11/01172/FUL

Location	16 Wrekin Drive, Tettenhall, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 387305 300265
Plan Printed	15.02.2012	Application Site Area	458m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 12/00037/LBC

WARD: Penn

RECEIVED: 18.01.2012

APP TYPE: Listed Building Consent

SITE: Penn Hall, Vicarage Road, Penn, Wolverhampton

PROPOSAL: New timber floor and reduce external ground levels

APPLICANT:

Mr D Parry
Penn Hall School
Vicarage Road
Wolverhampton
WV4 5HP

AGENT:

Mr Ian Lewis
Lewis Architecture Limited
East Wing Wrottesley Hall Holyhead Road
Codsall
Wolverhampton
WV8 2HT

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is approximately 3.5km south west of the City Centre. The application site comprises Penn Hall a Grade II* Listed Building which originates from the late 17th century with early to mid 18th Century alterations and additions. The site is located in the Vicarage Road (Penn) Conservation Area.
- 1.2 The listed building is constructed of traditional brick with ashlar dressings and hipped tile roof with brick stacks.
- 1.3 The building forms part of an educational complex known as Penn Hall Special School and is located in the Vicarage Road Conservation Area. The building is presently used by the sixth form students.

2. Application details

- 2.1 The application proposes to adapt an existing redundant gardeners store to provide a more general purpose store with a new floor and reduction of the external ground levels which is causing damp issues to the existing external wall.

3. Planning History

- 3.1 No relevant planning history

4. Constraints

- 4.1 LB Grade: II STAR
Conservation Area – Vicarage Rd (Penn) Conservation Area

5. Relevant policies

The Development Plan

5.1 Wolverhampton's Unitary Development Plan

HE3 Preservation and Enhancement of Conservation Areas

HE14 Alterations and Extensions to a Listed Building

5.2 Black Country Core Strategy

ENV2 Historic Character and Local Distinctiveness

Other relevant policies

5.3 PPS1 – Delivering Sustainable Development

6. Environmental Impact Assessment Regulations

6.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.

6.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

7.1 No representations received.

8. Internal consultees

8.1 **Strategic Asset Management** – response awaited

9. External consultees

9.1 **English Heritage** – no objections

9.2 **Wolverhampton Civic and Historical Society** – awaiting response

10. Legal Implications

10.1 General legal implications are set out the beginning of the schedule of planning applications.

10.2 When an application is situate in or affects the setting of a Conservation Area by virtue of S72 and S73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under S73 of the Act.

10.3 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.

11. Appraisal

11.1 The lowering of ground levels will allow the masonry to dry out which will prevent further damage to the historic brickwork.

11.2 The insertion of insulated flooring and secondary glazing will reduce heat loss from the building which will assist in bringing the building back into use.

11.3 The proposals would be beneficial to the historic fabric and will secure a productive use for the building with minimal impact on the special interest of the building. The proposal is therefore considered to be acceptable and in accordance with UDP policies HE3 and HE14.

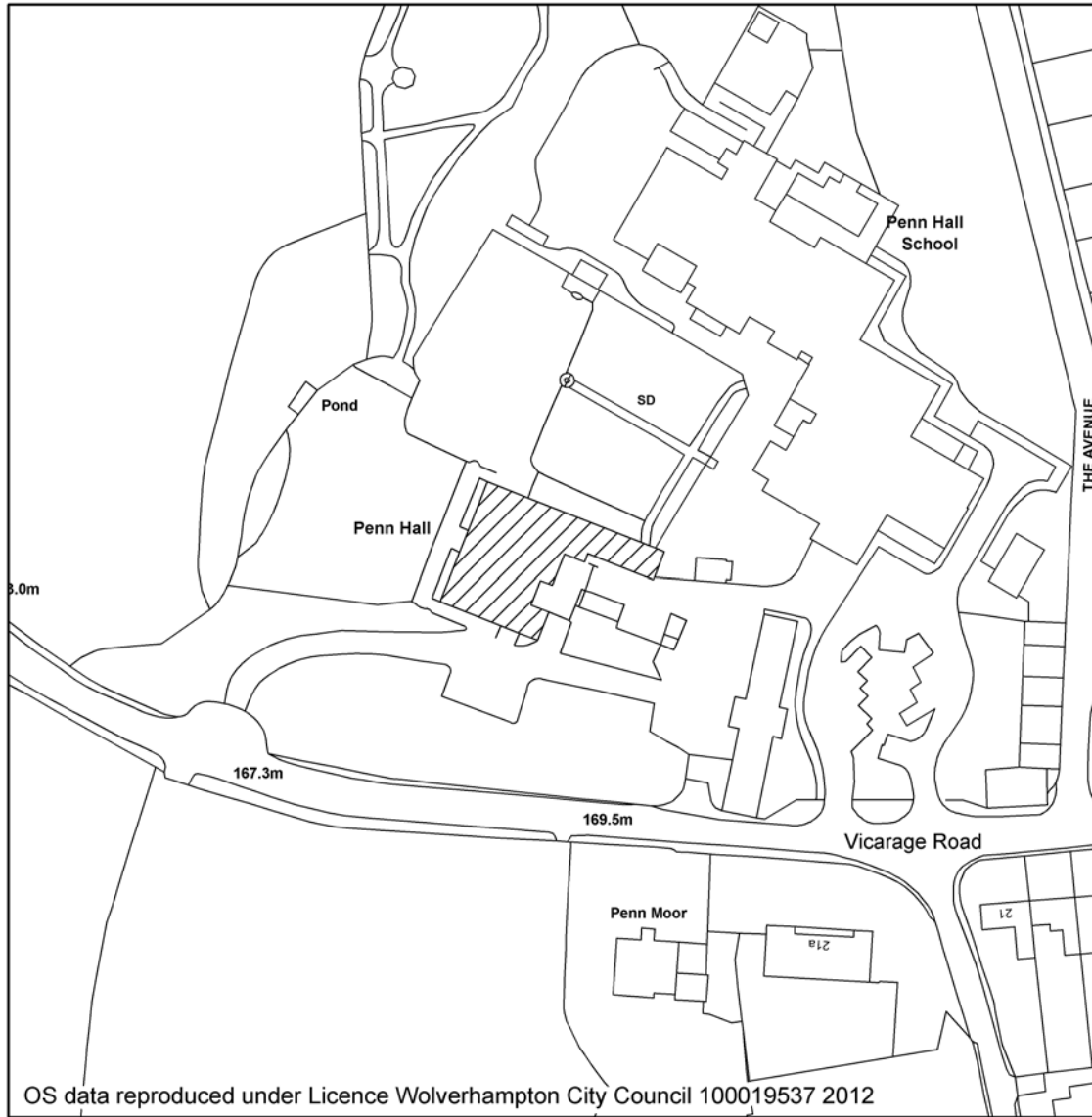
12. Conclusion

12.1 The new floor and reduction of the external ground levels is acceptable and in accordance with development plan policies.

13. Recommendation

13.1 That listed building consent application 12/00037/LBC, be submitted to the Secretary of State with a recommendation for approval.

**Case Officer : Ms Jenny Davies
Telephone No : 01902 555608
Head of Planning – Stephen Alexander**



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Planning Application No: 12/00037/LBC

Location	Penn Hall, Vicarage Road, Penn, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389103 295401
Plan Printed	15.02.2012	Application Site Area	441m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 12/00040/LBC

WARD: Penn

RECEIVED: 18.01.2012

APP TYPE: Listed Building Consent

SITE: Former Barn, Penn Hall School, Vicarage Road, Penn

PROPOSAL: Insertion of mezzanine to create first floor

APPLICANT:

Mr D Parry
Penn Hall School
Vicarage Road
Penn
Wolverhampton
WV4 5HP

AGENT:

Mr Ian Lewis
Lewis Architecture Limited
East Wing Wrottesley Hall Holyhead Road
Codsall
Wolverhampton
WV8 2HT

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is approximately 3.5km south west of the City Centre. The application site comprises of Penn Hall a Grade II* Listed Building and the threshing barn which is Grade II listed and originates from the late 17th century with early to mid 18th Century alterations and additions.
- 1.2 The building itself was a former threshing barn. The original building was demolished and the replacement building was reconstructed from the original brick with plain clay roof tiles.
- 1.3 The building is used for storage and forms part of an educational complex known as Penn Hall Special School and is located in the Vicarage Road Conservation Area.

2. Application details

- 2.1 The application proposes to insert a timber floor within the existing two storey element of the former threshing barn. The building has been used for storage by the school and the new floor will increase the storage capacity of the building.

3. Planning History

- 3.1 No relevant planning history

4. Constraints

- 4.1 Conservation Area - Vicarage Rd (Penn) Conservation Area
Listed Building Grade: II

5. Relevant policies

The Development Plan

5.1 Wolverhampton's Unitary Development Plan

HE3 Preservation and Enhancement of Conservation Areas

HE14 Alterations and Extensions to a Listed Building

5.2 Black Country Core Strategy

ENV2 Historic Character and Local Distinctiveness

Other relevant policies

5.3 PPS1 – Delivering Sustainable Development

6. Environmental Impact Assessment Regulations

6.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.

6.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

7.1 No representations received.

8. Internal consultees

8.1 **Strategic Asset Management** – response awaited

9. External consultees

9.1 **English Heritage** – no objections

9.2 **Wolverhampton Civic and Historical Society** – response awaited

10. Legal Implications

10.1 General legal implications are set out the beginning of the schedule of planning applications.

10.2 When an application is situate in or affects the setting of a Conservation Area by virtue of S72 and S73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under S73 of the Act.

- 10.3 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. (LD/08022012/U)

11. Appraisal

- 11.1 The former threshing barn was subjected to significant alterations in the late 1970s. The alterations appear to have involved the demolition of the original barn and a replacement building constructed on the same footprint with the salvaged material. This has destroyed much of the building's special interest.
- 11.2 The internal space, which was formerly the threshing floor, has been altered and has no apparent historic or architectural significance. The proposal is therefore considered to be acceptable and in accordance with UDP policies HE3 and HE14.

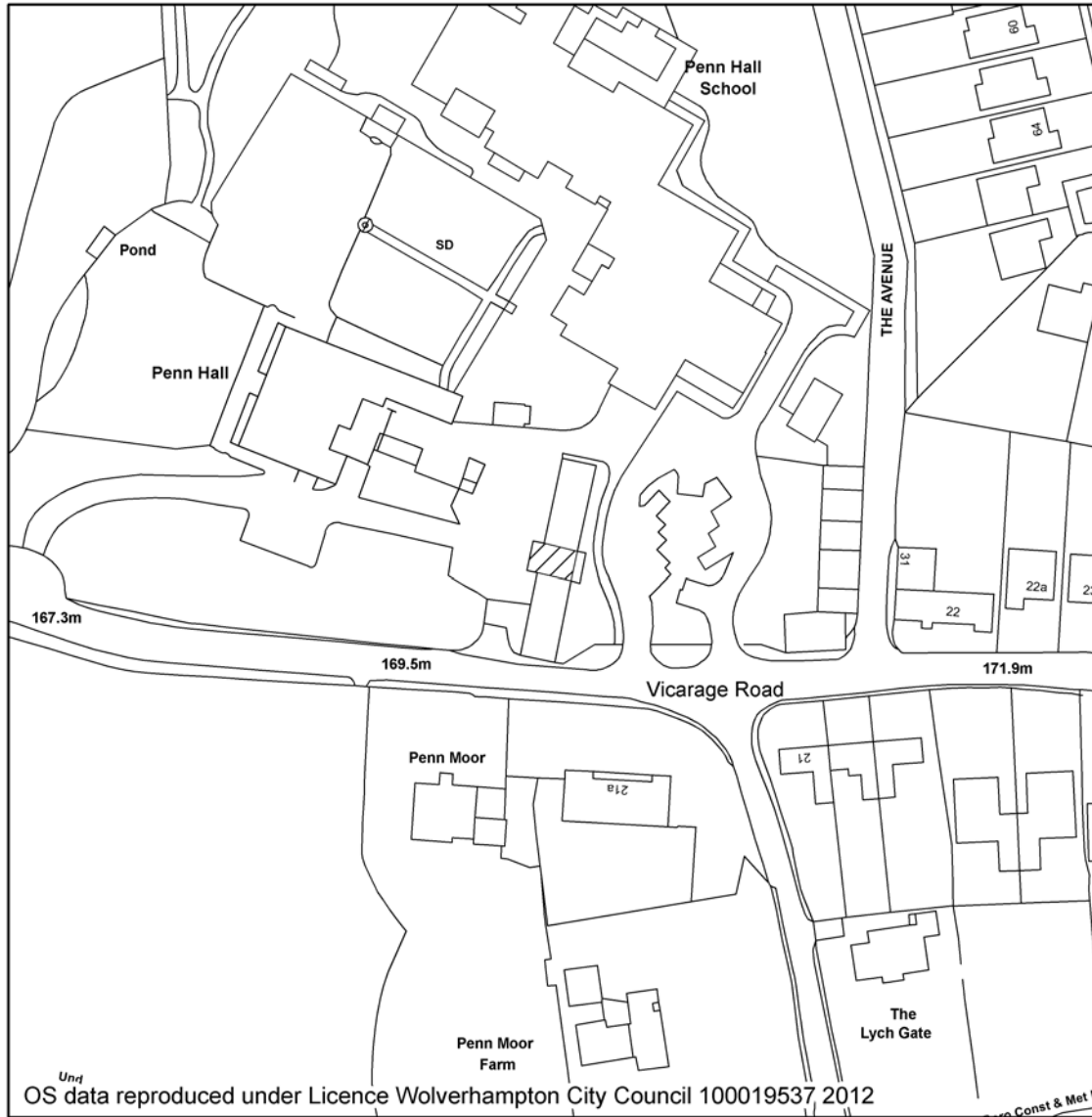
12. Conclusion

- 12.1 The insertion of the proposed floor is acceptable and in accordance with development plan policies.

13. Recommendation

- 13.1 That listed building consent application 12/00040/LBC, be submitted to the Secretary of State with a recommendation for approval

Case Officer : Ms Jenny Davies
Telephone No : 01902 555608
Head of Planning – Stephen Alexander



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Planning Application No: 12/00040/LBC

Location	Former Barn, Penn Hall School, Vicarage Road, Penn		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 389144 295374
Plan Printed	15.02.2012	Application Site Area	39m ²

PLANNING COMMITTEE - 28-Feb-12

APP NO: 11/01030/FUL

WARD: Tettenhall Regis

RECEIVED: 04.11.2011

APP TYPE: Full Application

SITE: 41 Woodthorne Road, Wolverhampton, WV6 8TU

PROPOSAL: Proposed two storey side and single storey rear extension and loft conversion.

APPLICANT:

Mr A Ali
41 Woodthorne Road
Tettenhall
Wolverhampton
WV6 8TU

AGENT:

Mr Jacob Sedgemore
Stoneleigh Architectural Services
Compton Wharf Bridgnorth Road
Compton
Wolverhampton
WV6 8AA

COMMITTEE REPORT:

1. This application was deferred from the previous Planning Committee on 31 January 2012 so that a site visit could be carried out.
2. **Site Description**
 - 2.1 The application relates to a detached property on Woodthorne Road. The property is set well back from the main road and has a low wall and trees and hedges to the front with a driveway up to the property. The property is a distinctive individually designed property it is currently empty and is in a state of disrepair.
 - 2.2 The property is a large double fronted property with bay windows to the ground and first floor and a single storey garage to the side as well as an integral garage with a mock Tudor design to the front elevation. There is a gate leading to the rear garden along the boundary with number 39 and 43 Woodthorne Road. The boundary with number 39 consists of an approximately 3 metre high wall leading to the rear garden. The rear garden is approximately 65 metres long.
 - 2.3 The street scene is made up of large detached properties with attached garages, providing an element of spatial separation at first floor between each property, which is a characteristic of the street scene. The surrounding area is predominantly residential.
3. **Application details**
 - 3.1 The application is for a two storey side, single storey rear extension and loft conversion. The proposed will consist of a single storey rear extension would project out 4 metres in length from the existing this will incorporate a larger living room and kitchen, to the side there will be a garage with a utility room and games room. To the first floor there will be one bedroom with an en-suite.

4. Planning History

- 4.1 There has been one application (96/1122/FP) which was approved on 13.01.1997 for a two storey side extension to house to form an annexe residence for parent. This has not been implemented.

5. Constraints

- 5.1 Source Protection Zone - Source Protection Zones: 1
Tree Preservation Order - TPO Ref: 06/00467/TPO

6. Relevant Policies

- The Development Plan
6.1 Wolverhampton's Unitary Development Plan

D3 - Urban Structure
D4 - Urban Grain
D6 - Townscape and Landscape
D7 - Scale - Height
D8 - Scale - Massing
D9 - Appearance

- Other relevant policies
6.2 PPS1 – Delivering Sustainable Development
6.3 Wolverhampton's Supplementary Documents
SPG4 - Extension to Houses
6.4 Black Country Core Strategy
CSP4 - Place Making
ENV3 - Design Quality

7. Environmental Impact Assessment Regulations

- 7.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824) require that where certain proposals are likely to have significant effects upon the environment, it is necessary to provide a formal "Environmental Impact Assessment" to accompany the planning application.
- 7.2 This development proposal is not included in the definition of Projects that requires a "screening opinion" as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

8. Publicity

- 8.1 One representation has been received from the neighbour at number 39 Woodthorne Road in regards to the two storey side element of the proposal.
Their comments are:
- Visual impact
 - Overbearing outlook
 - Overshadowing
 - Overlooking

9. Internal Consultees

9.1 **Tree Officers** – No observations.

10. External Consultees

10.1 None

11. Legal Implications

11.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/13022012/W).

12. Appraisal

12.1 The key issues are: -

- Design
- Neighbouring Amenities
- Setting in the street scene

Design

12.2 The street scene consists of detached and semi-detached properties with attached garages, these provide an element of spatial separation at first floor between each property.

12.3 It is considered that some form of first floor side extension would be feasible. Although the first floor extension would draw the properties closer together, the element of space left is now felt significant enough to not result in a cramped appearance between the application site and the neighbouring property at 39 Woodthorne Road. The proposals are considered to be in keeping with other properties within Woodthorne Road.

12.4 The proposal has been amended from that first submitted. The current application has been set back at the first floor by 2.9 metres from the existing front elevation therefore some element of spaciousness is retained from the street scene. The ridge height of the two storey element has also been reduced and the set back to the first floor shows a more subservient design than that first submitted. These amendments address the previous concerns, providing an extension which would now be in keeping with the character and appearance of both the existing property and the surrounding street scene.

12.5 It is considered that the proposed extension would respond well to the existing context of buildings streets and spaces, and is a suitable design compliant with UDP policies D4 and D9 and ENV3 of the BCCS.

Neighbouring Amenities

12.6 The neighbour at number 39 objects and refers to the extension as being overbearing and reducing privacy.

12.7 The neighbouring property at number 39 is set back from the application property by approximately 2.5 metres. Number 39 has side facing windows at first floor which would be affected by the proposal. There are three first floor windows to the side elevation facing the application site and one roof light within the single storey side

extension which leads to the kitchen. The windows to the first floor are secondary windows to the stairs and to two bedrooms. As these windows are secondary windows and there would still be a gap between the properties, it is considered that the impact with regard to light would not be significant enough to warrant refusal.

- 12.8 With regards to outlook and overlooking, the proposed extension has been set back from the front elevation by 2.9m. This would leave a considerable gap to the front elevation and still provides a vision of spaciousness within the street scene. In terms of overlooking there will be no additional overlooking than exists as present. Therefore, it is considered that the detriment to outlook and overlooking would be minimal, and would not be significant enough to warrant refusal.
- 12.9 Therefore, it is considered that the neighbouring amenities would not be adversely affected. The proposal is compliant with UDP Policy D8.

Setting in the Street Scene

- 12.10 The properties within the street scene are large mostly detached properties and some semi-detached properties with attached garages and are set back from the main road with driveways and parking spaces. Some properties on the street have been extended to the full width of their plots.
- 12.12 In terms of the visual impact and the street scene setting the proposal will be consistent with properties in the street scene. The proposal will be building over an existing single storey garage and will leave a gap along both sides of the property for access to the rear.
- 12.13 The proposal is consistent with properties within the street scene and complies with UDP policies D6, D9, and ENV3 of the BCCS.

13. Conclusion

- 13.1 This amended proposal is now considered acceptable, as it has satisfactorily addressed previous concerns by reintroducing some spatial separation between the application site and the neighbouring property at 39 Woodthorne Road, by setting the two storey element back and reducing the height of the two storey element and lowering its ridge height. This has resulted in a structure which now contributes to the character and appearance of both the existing property and the surrounding street scene. Therefore, the proposed extension is compliant with UDP Policies, D4, D6, D7, D8, and D9 and ENV3 of the BCCS.

14. Recommendation

- 14.1 That planning application 11/01030/FUL be granted subject to any necessary conditions including:
- Matching materials

Case Officer : Ms Nussarat Malik
Telephone No : 01902 550141
Head of Planning – Stephen Alexander



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Planning Application No: 11/01030/FUL

Location	41 Woodthorne Road, Wolverhampton, WV6 8TU		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 387463 300627
Plan Printed	15.02.2012	Application Site Area	1487m ²