

MINUTES

meeting: **PLANNING COMMITTEE**

date: **28 FEBRUARY 2012**

PRESENT:-

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

OFFICERS IN ATTENDANCE:-

Delivery Directorate

L Delrio - Solicitor
J Wright - Democratic Support Officer

Education and Enterprise Directorate

S Alexander - Head of Building and Development Control
N Edwards - Assistant Director – Regeneration
G James - Service Manager, Transportation
M Page - Section Leader, Transportation Strategy
I Holliday - Section Leader – Development Control
M Gregory - Section Leader – Development Control
C Morrison - Section Leader – Development Control

Wolverhampton
City Council



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

194 **Apologies for Absence**

Apologies were received from Councillors Darke and Mrs Thompson.

Declarations of Interest

195

The following interests were declared:-

<u>Agenda Item No</u>	<u>Subject</u>	<u>Councillor/Officer</u>	<u>Interest</u>
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Hardacre	Personal & Prejudicial left the room and took no part in the consideration of the application
14	Enforcement Update	Councillor Hardacre	Personal – relative works at one of the companies listed
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Julie Hodgkiss	Personal – is known to one of the speakers on the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Linda Leach	Personal – is known to one of the speakers on the application
6	Planning application 11/01205/FUL 53 Woodthorne Road Wolverhampton	Councillor Judith Rowley	Personal – is known to one of the speakers on the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Judith Rowley	Personal & Prejudicial left the room and took no part in the consideration of the application

6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Stephen Simkins	Personal – is known to one of the speakers on the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Councillor Sweet	Personal – is known to one of the speakers on the application
6	Planning application 11/01205/FUL 53 Woodthorne Road Wolverhampton	Councillor Jonathan Yardley	Personal & Prejudicial left the room and took no part in the consideration of the application
6	Planning Application 11/01030/FUL 41 Woodthorne Road Wolverhampton	Councillor Jonathan Yardley	Personal & Prejudicial left the room and took no part in the consideration of the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Stephen Alexander	Personal – is known to one of the speakers on the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	Martyn Gregory	Personal – is known to one of the speakers on the application
6	Planning application 11/01205/FUL 53 Woodthorne Road Wolverhampton	Gwyn James	Personal – is known to one of the speakers on the application
6	11/01170/FUL Former St Judes House 51-52 St Judes Road West Wolverhampton	John Wright	Personal – is known to one of the speakers on the application

Minutes

- 196 Resolved:-
That the minutes of the meeting held on 31st January 2012 be approved as a correct record.

Matters Arising

- 197 None.

Schedule of Outstanding Minutes (Appendix 58)

- 198 Resolved that the schedule of outstanding minutes be noted.

Schedule of Planning Applications (Appendix 59)

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

**Planning Application 11/01208/FUL 3 Wergs Drive
Wolverhampton**

Mr Robbins spoke in opposition to the application.

Mr Bining spoke in support of the application.

Some members expressed sympathy with Mr Robbins in relation to some of the issues had had raised but felt that there were no planning grounds for refusing the application.

- 199 Resolved:-
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.

**Planning Application 11/01205/FUL 53 Woodthorne Road
Wolverhampton**

Having declared a prejudicial interest in the application Councillor Yardley left the room and took no part in the consideration of the application.

Mrs Layne spoke in opposition to the application

Professor Chevannes spoke in support of the application

Some members felt that in order to fully understand the implications of the proposal they should visit the site.

200

Resolved:-

That consideration of the application be deferred to enable a site visit to be held prior to the next meeting of the Committee.

**Planning Application 11/01170/FUL Former St Judes House
51 - 52 St Judes Road West Wolverhampton**

Having declared a prejudicial interest in the application Councillors Hardacre and Rowley left the room and took no part in the consideration of the application.

Ms Walton spoke in opposition to the application.

Some members expressed concern about access, especially from No 50 St Judes Road West, car parking, traffic calming measures and amenity space. In light of these concerns Members felt it appropriate that they should visit the site before determining the application.

201

Resolved:-

That consideration of the application be deferred to enable a site visit to be held prior to the next meeting of the Committee.

**Planning Application 11/01190/FUL 59 Tynninghame Avenue
Wolverhampton**

The Section Leader reported that since the report had been written it had been confirmed that the side extension would project towards the highway 3.75M leaving only 2m to the back edge of the pavement.

Mrs Edwards spoke in support of the application.

Some members were of the opinion that the proposal was out of character with the surrounding area.

202

Resolved:-

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.

Planning Application 11/00978/REM Peel Retail Park, Stafford Street, Whitmore Reans Wolverhampton

The Section Leader reported that since the report had been written it had been confirmed that a total of 377 car parking spaces would be provided.

Members welcomed the application.

203

Resolved:-

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

Planning Application 11/01004/FUL Former Hodson House Hodson Close Wolverhampton

204

Resolved:-

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

**Planning Application 12/00114/FUL All Saints Church
All Saints Road Wolverhampton**

205

Resolved:-

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

**Planning Application 11/01164/FUL 106 Birmingham Road
Wolverhampton**

206

Resolved:-

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

**Planning Application 11/01034/FUL 7 Ryecroft Cottages
Coton Road Wolverhampton**

207

Resolved:-

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

**Planning Application 11/00972/FUL 1 Gatcombe Close
Wolverhampton**

208

Resolved:-

That planning application 11/00972/FUL be granted, subject to standard conditions, including the following:-

- Matching Materials
- No further side windows to be inserted

**Planning Application 11/01172/FUL 16 Wrekin Drive
Tettenhall Wolverhampton**

209 Resolved:-
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

**Planning Application 12/00037/LBC Penn Hall Vicarage Road Penn
Wolverhampton**

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

**Planning Application 12/00040/LBC Former Barn Penn Hall School
Vicarage Road Penn Wolverhampton**

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

**Planning Application 11/01030/FUL 41 Woodthorne Road
Wolverhampton**

Having declared a prejudicial interest in the application Councillor Yardley left the room and took no part in the consideration of the application.

212 Resolved:-
That planning application 11/01030/FUL be granted subject to any necessary conditions including:-

- Matching Materials

**Objection to the Wolverhampton City Council, 10 and 12 The
Dingle, Tree Preservation Order: 2011 (Appendix 60)**

The Interim Strategic Director Education and Enterprise submitted a report on objections received to a Tree Preservation Order.

213 Resolved:-
That the Wolverhampton City Council (10 -12 The Dingle) Tree Preservation Order (TPO) 2011 be confirmed to ensure the continued protection of the trees covered by the Order, which make a significant contribution to the local amenity.

Consultation From Other Local Authorities For Committee Consideration (Appendix 61)

The Interim Strategic Director Education and Enterprise submitted a report on a consultation from Wallsall Council on a planning application submitted within their area which may have an impact on Wolverhampton. The Section Leader requested that members defer consideration of the report to enable further consideration of transportation issues.

214

Resolved:-

That consideration of the report be deferred to enable further consideration of transportation issues.

Planning Applications Determined Under Officer Delegation, Withdrawn etc (Appendix 62)

The Interim Strategic Director Education and Enterprise submitted a report on planning and other applications that had been determined by authorised officers under delegated powers given by Committee, those applications that have been determined following previous resolutions of Planning Committee, or have been withdrawn by the applicant, or determined in other ways.

215

Resolved:-

That the report be received.

Planning Appeals (Appendix 63)

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

216

Resolved:-

That the report be received.

Enforcement Update (Appendix 64)

The Interim Strategic Director Education and Enterprise submitted a report on details of the number of Planning Enforcement cases investigated between October and December 2011.

217

Resolved:-

That the report be received.

Use of Urgent Matters Procedure. Residential development (97 Dwellings) and associated roads and open space at Gatis Street including the Victoria, Former Skills Centre and Council Depot (11/00871/FUL) (Appendix 65).

The Interim Strategic Director Education and Enterprise submitted a report on a decision taken regarding this application, under the urgent matters procedure.

218

Resolved:-

That the report be received.

Exclusion of Press and Public

Resolved:-

That in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from consideration of the items of business in Part II of the Agenda, on the grounds that in view of the nature of the business to be transacted or the nature of the proceedings, exempt information falling within the paragraph 7. of Schedule 12A to the Act (information relating to the financial or business affairs of any particular person/labour relations implications) is likely to be disclosed.

Enforcement Update (Appendix 66)

The Interim Strategic Director Education and Enterprise submitted a report on details of the number of Planning Enforcement cases investigated between October and December 2011.

Members asked a series of questions relating to the progress of the enforcement action.

219

Resolved:-

That the report be received.