

MINUTES

meeting: **PLANNING COMMITTEE**

date: **22 MAY 2012**

PRESENT:-

Councillor Judith Rowley (Chair),
Councillors Banger, Clarke Darke, Gwinnett, Jones, Leach, (Vice
Chair) Simkins, Mrs Thompson and Yardley

OFFICERS IN ATTENDANCE:-

Delivery Directorate

L Cross	-	Solicitor
J Wright	-	Democratic Support Officer

Education and Enterprise Directorate

S Alexander	-	Head of Planning
M Elliot	-	Planning Officer
M Gregory	-	Section Leader – Development Control
I Holliday	-	Section Leader – Development Control
M Jones	-	Planning Officer
A Murphy	-	Section Leader – Development Control
M Page	-	Section Leader - Transportation Strategy

Wolverhampton
City Council



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

1 **Apologies for Absence**

Apologies were received from Councillors Bateman and Hardacre

Declarations of Interest

2 The following interests were declared:-

<u>Agenda Item No</u>	<u>Subject</u>	<u>Councillor/Officer</u>	<u>Interest</u>
6	Planning Application 12/00379/VV 106 Birmingham Road Wolverhampton	Banger	Personal - Is Member of the gym
6	Planning Application 11/01097/Ful The Great Horse Public House Prestwood Road Wolverhampton	Jones	Personal - Is Member of CAMRA and knows the speaker on the application
6	Planning Application 11/01100/FUL Crescent House Broad Street Bilston	Simkins	Personal and Prejudicial – Attended a public meeting on the application
6	Planning Application 12/349/FUL Wolverhampton Girls High School Tettenhall Road Wolverhampton	Mrs Thompson	Personal and Prejudicial – is a Governor of the School

Minutes

3 Resolved:-

That the minutes of the meeting held on 24 April 2012 be approved as a correct record

Matters Arising

4 None

Schedule of Outstanding Minutes

5 Resolved that the schedule of outstanding minutes be noted.

Planning Applications For Determination

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 12/00277/EXT Land Adjacent 1 Haden Hill Wolverhampton

Mr Cooper spoke in opposition to the application.

Some Members expressed concern at the lack of initial consultation about the application with adjoining neighbour..

6 Resolved:-
That planning application 12/00277/EXT be granted, subject to the following conditions:-

- Submission of materials
- Hard surface materials to be submitted
- Details of boundary treatments to be agreed
- Details, design and operation of gated system
- Haden Hill access to be stopped up and the footway reinstated
- Land contamination report
- Restrict hours of construction
- Disabled access details to be agreed

Planning Application 11/01100/FUL Crescent House Broad Street Bilston

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

Mr Scotto spoke in opposition to the application.

Some Members expressed concern that the application could generate additional parking problems in the area and officers undertook to ensure that additional parking enforcement would take place in the area.

7 Resolved:-
That planning application 11/01100/FUL be granted, subject to any appropriate conditions including the following:-

- Cycle/motorcycle parking
- Bin store

**Planning Application 12/00308/RP Compton Garth 2 Ash Hill
Wolverhampton**

Mr Sheldon spoke in opposition to the application

Some Members expressed about the size and sighting of the building which had already been built and the impact it would have. Concerns were also expressed at the retrospective nature of the application.

8

Resolved:-

1) That planning application 12/00308/RP be refused for the following reasons.

- Overbearing
- Detrimental to the street scene
- Detrimental to the Conservation Area

2) That officers be requested to consider whether it would be expedient to issue an enforcement notice seeking the removal of the structure

**Planning Application 12/00364/FUL Former Sports Ground
Adjacent To Sunnyside Taylor Road Wolverhampton**

9

Resolved:-

That the Interim Strategic Director of Education and Enterprise be given delegated authority to grant planning application 12/00364/FUL subject to:-

1. The signing of a Section 106 Agreement to require a compensatory payment of £137,838 (BCIS indexed) for the loss of sports.

2. Any necessary conditions to include:

- Refuse storage
- Cycle / motorcycle storage and facilities for cyclists
- Implementation of a landscaping scheme
- Tree protection
- No external lighting without prior approval
- Drainage, including measures to keep water off the highway
- Coal Mining – Investigation and remediation
- Site waste management plan
- 10% renewable energy generation
- Boundary treatments
- External materials
- Noise attenuation
- Contaminated land remediation
- Car park, delivery and servicing plan
- No external plant, vents etc without written approval.
- Restriction to prevent future changes of use to B1(a) offices

Planning Application 12/00477/REM I54 (Strategic Employment Site). Land Bounded By The Staffordshire And Worcestershire Canal, Lawn Lane, M54 And Wobaston Road, Wolverhampton

The Section Leader informed members of a change to the recommendation to remove the need for a deed of variation to existing Section106 agreement

10

Resolved:-

That the Interim Strategic Director of Education and Enterprise be given delegated authority to grant planning application 12/00477/REM subject to:-

- 1) No overriding objections from neighbours
- 2) Variation of conditions 6 to allow extended hours (as specified) for operation of machinery from May 2012 until 31st August 2012, within plots A and B.
- 3) Any relevant conditions from 05/2026/FP/M together with an additional condition to prevent heavy good vehicles leaving the site between 7pm and 7am

Planning Application 12/00205/FUL Land Between Crown House And Barnshaws Depot Millfields Road Wolverhampton

The Section Leader informed members that the Coal Authority had submitted an objection based on a lack of information. However it was felt that this objection may be overcome.

11

Resolved:-

That the Interim Director for Education and Enterprise to be given delegated authority to grant planning application 12/00205/FUL subject to:-

- 1) No overriding objection from the Coal Authority
- 2) Any appropriate conditions to include:
 - Waste management plan
 - Ground and floor levels
 - Drainage
 - Sound insulation for plant/machinery
 - No outside mechanical handling except 08:00hrs -18:00 hrs Mon-Fri & 08:00hrs -13;00hrs Saturdays
 - Commercial vehicle movements & loading/unloading restricted to 08:00hrs -18:00hrs Mon-Fri & 08:00hrs – 13;00hrs Saturdays
 - No outside lighting except in accordance with details to be approved
 - No outside public address systems
 - Vehicle reversing alarms restricted to 5dB(A) above ambient noise
 - Covered cycle parking to be provided
 - Disable parking to be provided
 - 10% on site renewable energy generation

**Planning Application 11/00545/FUL Former Farndale Junior School
Gatis Street Wolverhampton**

The Section Leader informed members that the amendments to the visibility had been received and it had been concluded that the development would not be sufficiently financially viable to support affordable housing, public open space contribution, renewable energy or public art. Therefore the recommendation should be amended.

12

Resolved:-

That the Interim Strategic Director for Education and Enterprise to be given delegated authority to grant planning application 11/00545/FUL, subject to:-

1) Signing of a Section 106 Agreement to secure;

For the whole development:

- Access improvements to playing fields (to compensate for loss of playing fields)
- Highway works/closure
- Targeted training and recruitment

For the following, no contributions on a pro-rata basis for each dwelling ready for occupation within 3 years from the date of this Committee and with the full requirement applying to all those which are not:

- Affordable housing
- Financial contribution for provision/enhancement of public open space (BCIS indexed)
- 10% renewable energy
- Public art

2) Any necessary conditions to include:

- Materials
- Landscaping implementation
- Boundary treatment
- Measures to mitigate impact of construction on local residents
- Drainage
- Site investigation
- Site waste management plan
- Bin stores for the apartments
- Cycle and motorcycle parking facilities for the apartments
- Travel Plan

**Planning Application 12/00324/FUL Smestow School Windmill
Crescent Wolverhampton**

The Section Leader informed members that Sport England had indicated they had no objection to the application subject to the addition of a condition requiring community use.

13

Resolved:-

That the Interim Strategic Director of Education and Enterprise be given delegated authority to grant planning application 12/00324/FUL subject to:-

- 1) No overriding objection from Environment Agency
- 2) The receipt of satisfactory great crested newt and bat surveys
- 3) Amendments to vehicular circulation
- 4) Any relevant conditions to include:-
 - Materials
 - Archaeology
 - Land contamination
 - Construction management plan (including hours of construction)
 - Traffic Regulation Order and bus drop-off improvement works
 - 10% Renewable Energy
 - Waste materials
 - Public art
 - Landscaping
 - Implement ecological recommendations
 - Scheme for control of noise/vibration for plant and machinery
 - Tree protection measures
 - Drainage
 - Lighting
 - Community use

Planning Application 12/00337/VV Oxley Lodge Residential Care Home 453 Stafford Road Wolverhampton

14

Resolved:-

That planning application 12/00337/VV be granted subject to any relevant conditions from the original permission.

Planning Application 12/00349/FUL Wolverhampton Girls High School Tettenhall Road Wolverhampton

Having declared a personal and prejudicial interest Councillor Mrs Thompson left the room and took no part in the consideration of this application.

The Planning Officer informed members that an additional condition relating to ground investigation work was now proposed.

15

Resolved:-

That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 12/00349/FUL, subject to:-

1. Receipt, and approval, of a Great Crested Newt Survey and emergence/reentry survey for Bats.

2. Any appropriate conditions including;
 - External finishes and architectural detailing
 - Measures to protect neighbours amenity during construction/demolition, including operational hours.
 - Tree protection
 - Implementation of landscaping
 - Submission of a Travel Plan
 - Drainage details
 - Implementation of the recommendations of the Extended Phase 1 Habitat and Bat Survey report
 - Site waste management plan.
 - On-site renewable energy generation
 - Full details of the proposed boundary treatment
 - Construction details of reinforced grass track (to ensure no harm to trees)
 - Restrict the use of the reinforced grass track to emergency vehicles only.
 - Ground investigation work

Planning Application 12/00320/OUT Land To The Rear Of Works And Telephone Exchange Railway Drive Bilston

The Section leader informed Members that the ecology survey and the coal mining assessment had now been received which would require two additional conditions to be added to the recommendation.

A Member expressed concern regarding the affect of the development on parking in the area.

16

Resolved:-

That the Interim Strategic Director of Education and Enterprise be given delegated authority to grant planning application 12/00320/OUT subject to:-

1. The completion of a Section106 agreement to secure:

For the whole development:

- Targeted recruitment and training
- A management company to carry out management and maintenance of communal areas

If the development is financially viable:

- Public open space/play contribution of £117,500
- 25% affordable housing
- Public art

If the development is not financially viable:

- Reduced public open space and play contribution (amount based on financial viability) on a pro-rata basis for any flats that are ready for occupation within 3 years of the date of this

Committee, with the full requirement applying to those that are not ready for occupation.

- Reduced affordable housing or public art requirement (amount based on viability) shall apply to the development as a whole providing that the exterior of the building is completed and at least 28 of the flats are ready for occupation within 3 years of the date of this Committee, with the full requirement applying if this is not achieved.

2. Any necessary conditions to include:

- Access road construction details
- External lighting
- Landscape implementation
- Tree protection
- Ground investigation and remediation
- Noise / Air Surveys and implementation of mitigation works
- Levels (existing and proposed)
- Implement ecological recommendations
- Cycle and motorcycle parking
- Refuse storage
- Provision of boundary treatments and gates to car park
- Site waste management plan
- 10% Renewable Energy
- Drainage
- Compliance with the ecology report
- Coal mining investigation to be carried out

Planning Application 12/00478/TEL Land On South Corner Of Mount Road Penn Road Wolverhampton

The Planning Officer reported that transportation had no objection to the proposal. Two additional letters of objection had been received relating to visual amenity and highway safety.

17

Resolved:-

That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant telecommunications notification 12/00478/TEL subject to no further public objections raising new material planning considerations.

Planning Application 12/00067/FUL Garage Site To The Rear Of 56 And 58 Castlebridge Road Wolverhampton

18

Resolved:-

That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 12/00067/FUL, subject to:-

- 1) Negotiation and completion of a Section 111 agreement to include loss of open space contribution (BCIS indexed)
- 2) Any appropriate conditions including;

- Materials
- Boundary treatment details
- Landscaping
- Bin store
- Mining site investigation
- Hours of operation during construction
- Land contamination site investigation.
- Priority signage for the access drive

**Planning Application 11/01097/FUL The Great Horse Public House
Prestwood Road Wolverhampton**

Mr Laws spoke in opposition to the application.

Some Members requested an extra condition requiring the provision of addition street litter bins.

19 Resolved:-

That planning application 11/01097/FUL be granted, subject to the following conditions:-

- Opening Hours as specified;- Monday to Saturday 11.30 – 23.00 hours and Sundays and bank holidays 17.00 – 22.30 hours.
- Odour nuisance
- Suitable Ventilation system,
- Submission of a noise report,
- Submission and details of proposed flue.
- Details of refuse storage
- Opening hours for deliveries and collection of goods - 7am-12pm Mon- Fri and 8am-12pm Sat & Sun.
- Disabled parking to be provided and marked out.
- Cycle storage for staff and visitors
- Provision of addition street litter bins

**Planning Application 12/00379/VV 106 Birmingham Road
Wolverhampton**

The Section Leader informed Members of the need to propose an additional condition relating to monitoring of noise levels at the boundaries of the site.

20 Resolved:-

That planning application 12/00379/VV be granted, for a temporary period of 12 months 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
- Establishment of clockwise circulatory pattern for car park users
- Cycle and motorcycle parking

- Car park management plan
- Details of vents/flues/plant work
- Monitoring of noise levels at the boundaries of the site

**Planning Application 12/00344/FUL 192 Merridale Street West
Wolverhampton**

The Planning Officer informed the Committee of a change in the recommendation to remove the request for delegated authority for the Interim Strategic Director to determine the application.

21

Resolved:-

That Planning Application 12/00344/FUL be granted subject to the following conditions:-

1. Prior to the use or occupation of the development hereby permitted, the parking areas shown on the approved plan shall be provided and shall thereafter be kept available for the parking of vehicles in connection with the use hereby approved, at all times.
2. Within two months of the development hereby permitted, details of the landscaping of the site (including hard surfaces, boundary treatments and wherever appropriate the retention of existing trees) have been submitted to, and approved in writing by, the local planning authority

**Planning Application 12/00393/FUL The Crown Public House
Wergs Road Wolverhampton**

Some members expressed the view that the covering of the jumbrella should be of a plain, unobtrusive colour and should be used for the purposes of advertising.

22

Resolved:-

That Planning Application 12/00393/FUL be granted subject to the following condition:-

- Materials

**Planning Application 11/00962/FUL Lidl Finchfield Hill
Wolverhampton**

The Section Leader informed members that since the report had been written an additional letter of objection had been received. Members were also informed that an additional policy had been added to the proposed reasons for refusal.

Mr Randles spoke in opposition to the application

Ms Hargreaves spoke in support of the application

Some Members expressed the opinion that the proposed extension was unnecessarily large and would have a detrimental impact on nearby residents and the street scene.

23

Resolved:-

That Planning Application 11/000962/FUL be refused, for the following reasons:-

- (i) The proposed demolition of the dwelling 42 Finchfield Hill (Fern Place), a heritage asset and replacement with the food store extension would be unacceptably detrimental to the street scene and character of the area contrary to BCCS – ENV 2, UDP Policies HE1: Preservation of Local Character and Distinctiveness, D4: Urban Grain, D5: Public Realm, D6: Townscape and Landscape and D9: Appearance.
- (ii) The proposed development would have significant adverse impacts on neighbouring residential properties particularly No. 7 The Terrace and No. 40 Finchfield Hill, by reason of overbearing and un-neighbourly impacts and loss of sunlight and daylight. Contrary to BCCS- ENV 2, and UDP policies D7: – Scale- Height and D8: Scale – Massing.
- (iii) The Proposed development is likely to lead to inadequate parking provision due to the intensification of the use, the poor car park layout and circulation which is likely to lead to queues developing on the access road affecting the traffic junction at busy periods. This would be detrimental to the free flow of traffic and highway safety. Contrary to UDP policies AM12 – Parking and Servicing Provision and AM15 Road Safety and Personal Security.
- (iv) The application does not include a dawn and dusk bat survey which would be required in relation to the demolition of the dwelling. The proposal is therefore contrary to UDP Policy N9.

**Planning Application 12/00429/LBC Penn Hall Special School
Vicarage Road Penn Wolverhampton**

24

Resolved:-

That listed building consent application 12/00429/LBC, be submitted to the Secretary of State with a recommendation for approval. Conditions to be included:-

- Details of cable runs and fixings

**Planning Application 12/00181/TR Tettenhall College College Road
Wolverhampton**

25

Resolved:-

That application 12/00181/TR be granted, subject to the following conditions:-

- Tree felling works shall be undertaken in accordance with BS 3998: 'Tree Work Recommendations': 2010
- Replacement planting shall consist of 7 of each: Hazel (60 – 90cm height), Field Maple, Bird Cherry and Oak (120 – 150cm height), and shall be maintained for a period of 10 years after planting.

Planning Applications Determined Under Officer Delegation, Withdrawn etc

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.

- 26 Resolved:-
That the report be received.

Planning Appeals

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.

- 27 Resolved:-
That the report be received.