

Wolverhampton City Council

OPEN DECISION ITEM

Committee / Panel

PLANNING COMMITTEE

Date: 8th January 2013

Originating Service Group(s)

EDUCATION AND ENTERPRISE

Contact Officer(s)

**Stephen Alexander
(Head of Planning)**

Telephone Number(s)

(01902) 555610

Title/Subject Matter

PLANNING APPLICATIONS FOR DETERMINATION

Recommendation

Members are recommended to:

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

PLANNING COMMITTEE (8th January 2013)

Index of Applications

<u>Application No.</u>	<u>Site Address</u>	<u>Ward</u>	<u>Summary of Recommendation</u>	<u>Page</u>
12/01241/FUL	Land North Of Junction With New Street And Vernon Close And Land Between New Street And South Street Portobello Wolverhampton	East Park	Grant subject to conditions	7
12/01173/FUL	Tettenhall Ambulance Station Regis Road Wolverhampton	Tettenhall Regis	Delegate to officers power to grant subject to section 106 agreement, amended plans and conditions	13
12/01239/FUL	29 Dudding Road Wolverhampton WV4 5ER	Blakenhall	Grant subject to conditions	19
12/01207/FUL	67 Himley Crescent Wolverhampton WV4 5DE	Blakenhall	Grant subject to conditions	23
12/01329/FUL	Land Opposite 14 Sycamore Drive Wolverhampton	Tettenhall Wightwick	Grant subject to conditions	27
11/00738/EXT	251 Parkfield Road Wolverhampton WV4 6EG	Blakenhall	Delegate to officers power to grant subject to section 106 agreement, amended plans and conditions	33
12/01411/FUL	Telecommunications Equipment On MK Block University Of Wolverhampton Molineux Street Wolverhampton	St Peters	Grant subject to conditions	38

Guidance for Members of the Public

The above index of applications and the recommendations set out in both the index and the reports reflect the views of Planning Officers on the merits of each application at the time the reports were written and the agenda sent out.

It is important to recognise that since the agenda has been prepared additional information may have been received relating each application. If this is the case it will be reported by the Planning Officers at the meeting. This could result in any of the following

- A change in recommendation
- Withdrawal of the application
- Recommendation of additional conditions
- Deferral of consideration of the application
- Change of section 106 requirements

The Committee will have read each report before the meeting and will listen to the advice from officers together with the views of any members of the public who have requested to address the Committee. The Councillors will debate the merits of each application before deciding if they want to agree, amend or disagree with the recommendation of the officers. The Committee is not bound to accept the recommendations in the report and could decide to

- Refuse permission for an application that is recommended for approval
- Grant permission for an application that is recommended for refusal
- Defer consideration of the application to enable the Committee to visit the site
- Change of section 106 requirements
- Add additional reasons for refusal
- Add additional conditions to a permission

Members of the public should be aware that in certain circumstances applications may be considered in a different order to which they are listed in the index and, therefore, no certain advice can be provided about the time at which any item may be considered.

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, any local finance considerations, so far as material to the 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. With regard to local finance considerations, this is a new provision that was introduced by the Localism Act 2011 and specific guidance will be given by officers where it is appropriate to have regard to matters of this nature in the context of the consideration of a planning application

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 following tests, 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 tests in the National Planning Policy Framework will apply. It should be further noted in any event that whether the CIL regulation 122 applies or not in all cases where a Planning Obligation is being considered regard should be had to the provisions of the National Planning Policy Framework as it is a material consideration.

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 LPA's 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. LPA's 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.

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01241/FUL

WARD: East Park

RECEIVED: 12.10.2012

APP TYPE: Full Application

SITE: Land North Of Junction With New Street And Vernon Close And Land Between New Street And South Street, Portobello, Wolverhampton

PROPOSAL: Hybrid application including: Full Application for a Nursing Care Home, including highway works, car parking and amenity space. Outline application for a General Practitioners Surgery, Pharmacy and a Supermarket, including car parking (Layout and Access are submitted for approval at this stage).

APPLICANT:

Ms Jackie Wellings
Heantun Housing Association
3 Wellington Road
Bilston
WV14 6AA

AGENT:

Mr David Davis
DJD Architects
2 St Oswald's Road
Worcester
Worcestershire
WR1 1HZ

COMMITTEE REPORT:

1. Site Description

- 1.1 This vacant 1.4 ha site is in two parts, in a prominent 'gateway' location, adjacent to the traffic island between A454 Willenhall Road, New Road and the Keyway.
- 1.2 It was formerly occupied by two tower blocks and a small parade of shops with flats above. The surrounding area is predominately residential.

2. Application Details

- 2.1 The application is a 'hybrid' - part full, part outline. 'Full' permission is sought on land to the north of the junction between New Street and Vernon Close, for a two and three storey, 66 bedroomed care home for the elderly. The part of New Street that runs across the site would be closed.
- 2.2 'Outline' permission is sought on land between New Street and South Street, for a GP surgery, pharmacy and a deep discount food supermarket. Details of access and layout are submitted for approval at this stage. All other matters of detail will be the subject of a subsequent 'reserved matters' application.
- 2.3 Twenty seven car parking spaces are proposed for the care home, 13 spaces for the GP surgery and pharmacy and 106 spaces for the supermarket. Two spaces would be provided for the existing 'Pole Position' car repair business which adjoins the site off South Street. An informal arrangement is proposed

whereby customers of that business would also be permitted to use the supermarket car park.

- 2.4 The applicants say the proposal represents £20 million investment and would create 60 jobs.

3. Relevant Policies

- 3.1 National Planning Policy Framework (NPPF)
- 3.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

4. Environmental Impact Assessment Regulations

- 4.1 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.

5. Publicity

- 5.1 Thirty letters and a petition containing 274 signatures objecting to the proposals have been received. The following concerns were raised:
- Sufficient existing retail, GP surgery and pharmacy provision
 - Prefer affordable housing/care homes to supermarket/GPsurgery/ pharmacy
 - Unacceptable pedestrian visibility when crossing New Road
 - Dilloways Lane is not wide enough for lorries
 - Insufficient traffic impact information provided
 - Detrimental to highway safety
 - Loss of visual/residential amenity
 - Noise/air pollution
 - Anti-social behaviour

6. Internal Consultees

- 6.1 **Environmental Health/Trees/Ecology/Landscape/Transportation**
No objections.

7. External Consultees

- 7.1 **Coal Authority and Environment Agency**– No objections subject to implementation of the recommendations of the Coal Mining Risk Assessment and the Flood Risk Assessment.

- 7.2 **Walsall MBC** – Object. Retail development would not be appropriate at this out of centre location. The Transportation Assessment does not demonstrate that there would not be an unacceptable impact on highway safety and the proposals are contrary to the BCCS and NPPF.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications (LD/17122012/Y)

9. Appraisal

- 9.1 The key issues are:
- Principle of the proposed uses
 - Loss of recreational open space
 - Design
 - Access
 - Neighbour amenity
 - Public Right of Way

Principle of the Proposed Uses

- 9.2 **Care Home for the Elderly** - The site is an allocated housing site where BCCS policies HOU1, HOU2, and UDP policy H12 apply. A care home for the elderly is also a residential use and so the proposed use is acceptable.
- 9.3 **GP Surgery** – New local health services should be located within a Centre. However, the site is well related to public transport infrastructure, has good accessibility to neighbourhood services and amenities and the proposal combines a mix of related uses on a single site. As there are no suitable centre or edge of centre sites available, the proposal is acceptable and accords with BCCS policy HOU5.
- 9.4 **Pharmacy** - Retail impact tests (BCCS CEN7) are not required for a pharmacy because it would be complementary to the GP surgery and would be unlikely to cause a significant adverse impact on the overall vitality and viability of any nearby Centres. It would meet the criteria and be acceptable in terms of BCCS policy CEN6 if the floor area is restricted to 200sqm gross.
- 9.5 **Supermarket** - The size of the supermarket, (over 200sq.m gross), and it's out of centre location means that BCCS Policy CEN7 requires a demonstration that the impact on the vitality and viability of any nearby centre would not be unacceptable and that there are no sequentially preferable sites, as outlined in the NPPF. It has been shown that it would not cause any significantly adverse impacts on any nearby centre, particularly Willenhall District Centre in Walsall and that there are no sequentially preferable sites. Therefore, subject to conditions restricting the types of goods to be sold, removing permitted development rights for mezzanine floors, future sub-division and defining the sales areas, to protect existing retail provision, the proposals are acceptable and accord with BCCS Policy CEN7 and the NPPF.

Loss of Recreational Open Space

- 9.6 The development would encroach onto a 20m wide tree buffer along the eastern boundary of the site adjoining the Keyway, which is designated as public open space. The trees were planted to screen the Keyway from housing previously on the site. The landscape buffer is no longer required and the area has no functional purpose as recreational open space. It would not therefore be reasonable to require a compensatory payment (UDP policy R3) for the loss.

Design

- 9.7 The buildings would respond positively to the gateway location, successfully emphasising its prominence and importance, relating well with existing development. The proposals are in accordance with UDP policies D5, D6, D7, D8, D9, D10, H12 and BCCS policies ENV2 and ENV3.

Access

- 9.8 Sufficient car parking and satisfactory servicing arrangements are proposed. Subject to a condition to secure highway improvements, to include appropriate surface treatment, signage and road markings along New Street the proposals are in accordance with UDP policies AM12, AM15 and BCCS policies TRAN2 and TRAN4.

Neighbour Amenity

- 9.9 The development would not result in any loss of sunlight to principal rooms or gardens of neighbouring properties, because of the intervening distance.
- 9.10 Noise from the supermarket can be kept within acceptable limits by restricting hours of opening, deliveries and collections to:

Supermarket opening hours

- 0800 hrs to 2000hrs on Mondays to Saturdays
- 1000 hrs to 1600hrs on Sundays and Bank Holidays

Supermarket Delivery Hours

- 0800 hrs to 1800hrs on Mondays to Saturdays
- 1000 hrs to 1600hrs on Sundays and Bank Holidays

- 9.11 The precise detail of servicing and refuse arrangements can be specified in a written strategy which can be required by a planning condition.
- 9.12 A condition is recommended requiring approval of plant and machinery.
- 9.13 Subject to conditions, the proposal would not have an unacceptable impact on neighbour amenity and would be in accordance with UDP policies EP1 and EP5 and BCCS policy ENV8.

Public Right of Way Diversion

- 9.14 The proposed route of the diverted public right of way is acceptable as it would follow a more safe and secure route across the site.

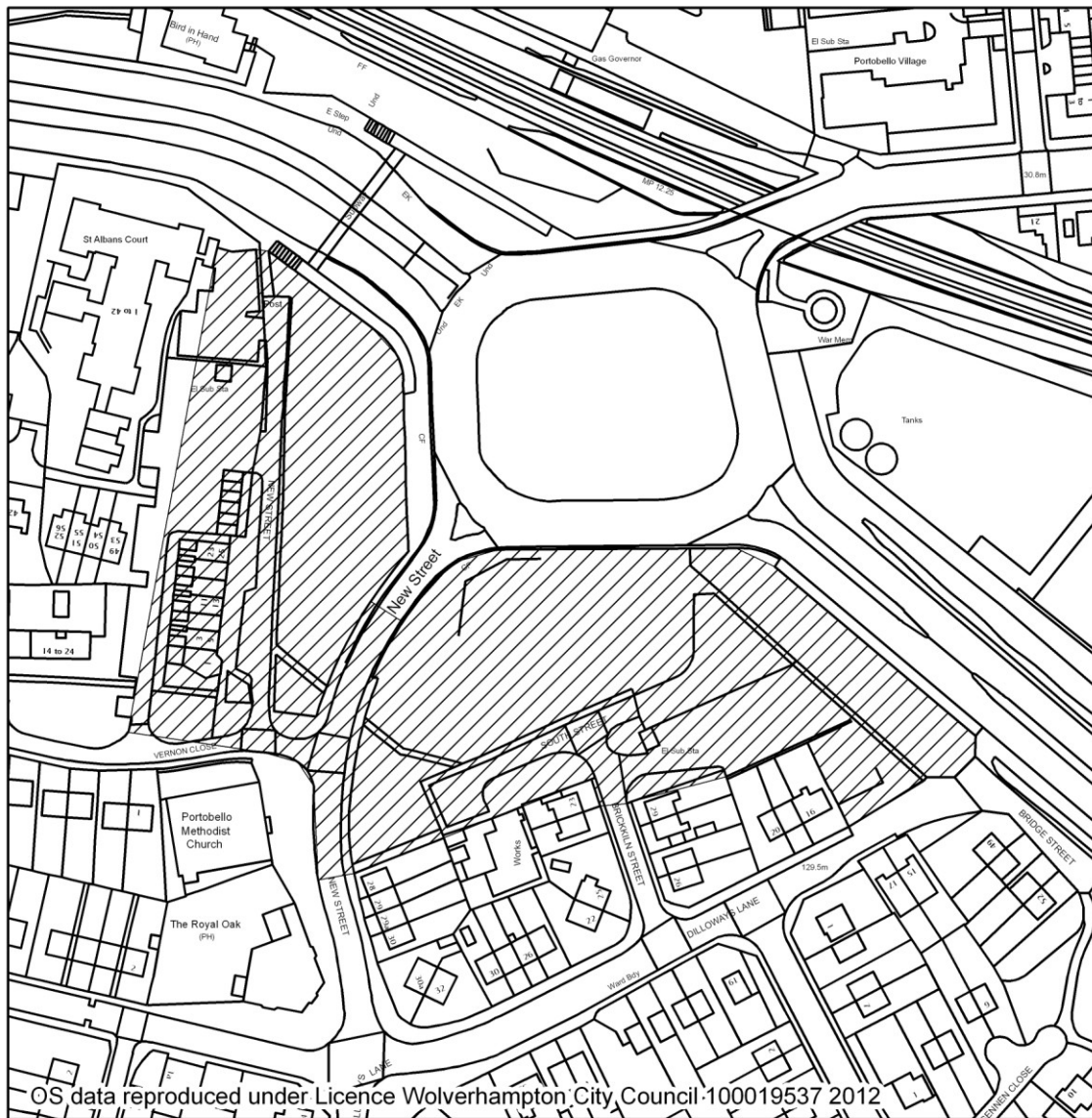
10. Conclusion

- 10.1 Subject to conditions as recommended, the development would be acceptable and in accordance with the development plan.

11. Recommendation

- 11.1 That planning application 12/01241/FUL be granted subject to the following conditions:
- Standard outline conditions (outline)
 - Materials (full)
 - Implement the recommendations of the flood risk assessment
 - Implement the recommendations of the habitat survey
 - Implement the recommendations of the mining report
 - Ground remediation
 - Existing and proposed levels
 - Waste Management Plan
 - Landscaping implementation
 - Boundary treatments
 - 10% renewable energy
 - Supermarket:- No mezzanine floors/ no sub-divisions into smaller units/limit to deep discount retailer and net internal sales area not to exceed 990sqm, net internal sales area used for the display and sale of comparison goods not to exceed 150sqm
 - Pharmacy only to be used as such and not for general retail use
 - Pharmacy to be no more than 200sq.m
 - Supermarket hours of opening and deliveries
 - Details of plant and machinery
 - No external shutters/obscuring of shop front windows
 - Parking to be provided and retained
 - Measures to preserve neighbour amenity during construction
 - Servicing and refuse store details
 - Cycle / motorcycle parking
 - Targeted recruitment and training
 - Travel Plans for supermarket and care home
 - Highway improvements, to include appropriate surface treatment, signage and road markings along New Street
 - No external storage for supermarket
 - Sound attenuation fence along the Bridge Street, Dilloways Lane boundary and along the eastern boundary of 16 Dilloways Lane
 - External Lighting
 - Care Home: Habitable rooms shall be constructed and acoustically insulated

Case Officer : Mr Phillip Walker
Telephone No : 01902 555632
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01241/FUL

Location	Land North Of Junction With New Street And Vernon Close And Land Between New Street And South Street, Portobello, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 395453 298269
Plan Printed	17.12.2012	Application Site Area	17282m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01173/FUL **WARD:** Tettenhall Regis

RECEIVED: 28.09.2012

APP TYPE: Full Application

SITE: Tettenhall Ambulance Station, Regis Road, Wolverhampton

PROPOSAL: Demolition of Existing Ambulance Station and Erection of 14 Apartments

APPLICANT:

Four Petals Properties Ltd
Fallowfield
Barn Lane
Brewood
Stafford
ST19 9LU

AGENT:

Mr Izeham Che Dan
ID Architects (Midlands) Ltd
2 The Curve
53 Tempest Street
Wolverhampton
WV2 1AA

COMMITTEE REPORT:

1. Site Description

1.1 The site covers an area of 0.174 hectares and contains a single storey flat roofed brick building which was formerly occupied by the West Midlands Ambulance Service.

1.2 The site is surrounded by residential properties and adjoins the southern flank of Regis Road. The site is accessed via an adopted cul-de-sac which leads from Regis Road. There are four trees within the site which are protected by a preservation order.

2. Application details

2.1 The application seeks full planning permission for the creation of a two storey building (8.4m in height) which would contain 14 apartments. The building would front onto Regis Road and Grange Road, and would respect the established building lines. The design is traditional, with slate pitched roofs and brick walls with small areas of slate cladding.

2.2 A car park and amenity area would be located to the rear of the building. Nineteen parking bays would be provided, including two disabled bays.

3. Relevant Policy Documents

3.1 National Planning Policy Framework (NPPF)

3.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)

Black Country Core Strategy (BCCS)

- 3.3 Other relevant policy documents:
Supplementary Planning Guidance No.3 (SPG3) – Residential Development

4. Environmental Impact Assessment Regulations

- 4.1 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.

5. Publicity

- 5.1 Four letters of support and thirty of objection have been received from local residents. Whilst many welcome some form of residential development, concerns have been raised regarding:

- Impact on traffic / access road inadequate / lack of parking
- Danger to pedestrian safety
- The loss of trees
- Overdevelopment
- Design / appearance / height
- Overlooking / loss of light / loss of view
- Noise disturbance
- TV and radio interference
- Disruption during construction
- Increased flood risk
- Effect on adjacent foundations
- May overload the public sewer
- Detrimental effect property values
- No need for the development
- No environmental survey

6. Internal Consultees

- 6.1 **Transportation / Ecology / Trees / Environmental Services** – No objection.

7. External Consultees

- 7.1 **Severn Trent Water Ltd / West Midlands Police / Fire Service** – No objections.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications. (LD/17122012/R)

9. Appraisal

9.1 The key issues are:

- Principle of Residential Development
- Design
- Highway Matters
- Impact on Trees
- Planning Obligations (S106)

Principle of Residential Development

9.2 The site is located in a residential area and is suitable for residential development.

9.3 There is a need for around 450 homes (of all types and sizes) in the Tettenhall Neighbourhood Plan area (Tettenhall Wightwick and Tettenhall Regis wards) over the next 15 years (Wolverhampton Strategic Housing Land Availability Assessment May 2012) and relatively few housing sites. The larger housing sites which are coming forward or are anticipated are expected to provide 4 or 5 bedroomed detached dwellings.

9.4 The proposal would therefore help meet the area's housing target and increase the variety of new homes in the area.

9.5 The proposal is in accordance with BCCS policies HOU1 and HOU2

Design

9.6 The proposed density is appropriate for the site. The scale would be in-keeping with neighbouring dwellings. Established building lines would be respected. An active street frontage would be provided. External materials would be in keeping with the area. The positioning of the building respects the privacy, daylight and outlook of neighbouring occupiers. The proposal is therefore in accordance UDP policies D4, D5, D6, D7, D8, D9, D10 and H6, and BCCS policy ENV3.

Highway Matters

9.7 The site would continue to be accessed via the existing cul-de-sac off Regis Road. While Regis Road is busy during peak hours, the proposal would not result in a significant increase in traffic flows on Regis road and the wider local highway network.

9.8 Parking spaces would be adequate.

9.9 The NPPF says that the, "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

9.10 The development would not have severe detrimental highway impacts and so is acceptable on transport grounds. The proposal would therefore be in accordance with UDP policy AM15 and BCCS policies TRAN2 and TRAN4.

Impact on Trees

- 9.11 There are four trees within the site which are protected by a preservation order. These are to be retained. Five other trees are to be removed, but will be replaced with new trees so that there will be no net loss of trees.

Planning Obligations

- 9.12 In accordance with adopted planning policies D14 and H8 of the UDP the following are required:

- A contribution of £36,134.24 for the provision/enhancement of off-site open space/play.
- Public art (1% of construction costs).
- Management Company (for the public art and communal areas).

- A scheme for targeted recruitment and training.

- 9.13 These planning obligations meet the tests set out in the NPPF namely they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

10. Conclusion

- 10.1 Subject to a S106 agreement and conditions as recommended, the development would be acceptable and in accordance with the development plan.

11. Recommendation

- 11.1 That the Interim Strategic Director for Education and Enterprise to be given delegated authority to grant planning application 12/01173/FUL subject to:

- (i) A Section 106 Agreement to include:
- Contribution for the provision/enhancement of off-site open space/play (BCCS indexed)
 - Public art
 - Management Company
 - A scheme for targeted recruitment and training.
- (ii) Any necessary conditions to include:
- Materials
 - Large scale architectural details
 - Levels (existing and proposed)
 - Provision and retention of access road and car parking areas
 - Cycle and motorcycle parking
 - Landscaping implementation
 - Further ground investigation
 - Drainage
 - Waste management plan
 - 10% renewable energy

- Measure to mitigate impact of demolition and construction on local residents i.e. no construction or demolition outside hours of 0800-1800 Monday-Friday, 0800-1300 Saturdays and at no times on Sundays or Bank Holidays
- Tree protection and replacement

Case Officer : Mr Morgan Jones

Telephone No : 01902 555637

Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01173/FUL

Location	Tettenhall Ambulance Station, Regis Road,Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 388163 300026
Plan Printed	17.12.2012	Application Site Area	1753m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01239/FUL

WARD: Blakenhall

RECEIVED: 11.10.2012

APP TYPE: Full Application

SITE: 29 Dudding Road, Wolverhampton, WV4 5ER

PROPOSAL: Single storey rear extension.

APPLICANT:

Mr Kamajit Kundi
29 Dudding Road
Goldthorn Park
Wolverhampton
WV4 5ER

AGENT:

Mr Ravinder Singh
5 Henley Lodge
Massbrook Grove
Failings Park
Wolverhampton
WV10 9RE

COMMITTEE REPORT:

1. Site Description

- 1.1 The application property is a semi-detached house on Dudding Road, with a flat roofed single storey extension to the rear and a long, south facing rear garden. The area mostly consists of semi-detached properties on the south side of Dudding Road and bungalows to the north.

2. Application details

- 2.1 The application is for a single storey rear kitchen extension approximately four metres long and five metres wide. It would have a dual pitch roof that is approximately 3.5 metres at its highest point and 2.5 metres to the eaves. A roof light is to be added to the garage roof.

3. Relevant Policy Documents

- 3.1 National Planning Policy Framework (NPPF)
- 3.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 3.3 Other relevant policy documents:
Supplementary Planning Guidance 4: Extension to houses

4. Environmental Impact Assessment Regulations

- 4.1 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 Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011/1824).

5. Publicity

- 5.1 One objection has been received including a request to speak to Committee. The objection relates to:

- loss of sunlight to number 31 Dudding Road

6. Legal Implications

- 6.1 General legal implications are set out at the beginning of the schedule of planning applications. KR/19122012/X

7. Appraisal

- 7.1 The key considerations in determining this planning application are:

- the appearance of the proposal and
- the impact on neighbour amenity.

Appearance

- 7.2 The pitched roof would be visible from Dudding Road but it would not be significant in the street scene. The proposed extension is of a suitable height and scale so as to maintain the existing character and appearance of the property.

Impact on neighbours

- 7.3 There would be no adverse impact from the roof light. The extension would be approximately 3.3 metres away from the common boundary with number 27 and so there would be no significant adverse impact.
- 7.4 The proposed extension would project approximately six metres beyond the rear wall of number 31 but would be sited approximately one metre away from the boundary. The nearest habitable window at number 31 is approximately five metres from the proposed extension. Given the scale of the rear extension and the relationship to number 31, the outlook, light and sunlight currently enjoyed by the residents of number 31 would not be significantly affected.

8. Conclusion

8.1 The proposal is acceptable and complies with Wolverhampton UDP saved policies D4, D7, D8, D9, SPG4 and adopted BCCS policies CSP4 and ENV3.

9. Recommendation

9.1 That planning application 12/01239/FUL be granted, subject to any appropriate conditions including:

- Matching materials

Case Officer : Mr Tom Podd
Telephone No : 01902 551128
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01239/FUL

Location	29 Dudding Road, Wolverhampton, WV4 5ER		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391804 296300
Plan Printed	17.12.2012	Application Site Area	414m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01207/FUL

WARD: Blakenhall

RECEIVED: 06.10.2012

APP TYPE: Full Application

SITE: 67 Himley Crescent, Wolverhampton, WV4 5DE

PROPOSAL: Two storey side extension, single storey rear extension, conservatory and porch. Revision to previously approved application
12/00116/FUL

APPLICANT:

Mr A.S Sidhu
67 Himley Crescent
Wolverhampton
WV4 5DE

AGENT:

Mr J K Kalsi
Building Designs & Technical Services
2 Coalway Road
Penn
Wolverhampton
WV3 7LR

COMMITTEE REPORT:

1. Site Description

- 1.1 Himley Crescent is a residential area consisting predominantly of semi-detached and detached houses with large rear gardens.

2. Application details

- 2.1 The application is a revision of planning permission 12/00116/FUL that was approved under delegated powers and was for a two storey side extension, single storey rear extension and front porch. The current application seeks:
- an increase in the size of single storey rear extension, with the rear extension to extend the full width of the dwelling and increasing the depth by approximately 0.3 metres. The enlarged rear extension is already under construction with the external works largely complete;
 - the removal of a chimney from the rear of the property;
 - the addition of a conservatory. The conservatory would measure approximately five metres in length at its longest point and 3.3 metres wide at its widest point. The roof would be approximately three metres at its highest and approximately 2.3 metres to the eaves.

3. Planning History

12/00116/FUL for two storey side extension, single storey rear extension with porch at front,
Granted, dated 05.04.2012.

4. Relevant Policy Documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

4.3 Other relevant policy documents:
Supplementary Planning Guidance 4: Extension to houses

5. Environmental Impact Assessment Regulations

5.1 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 objection has been received including a request to speak to Committee. The objection relates to

- the siting of the conservatory.

7. Legal Implications

7.1 General legal implications are set out at the beginning of the schedule of planning applications. Legal implications reference: LM/13122012/E

8. Appraisal

8.1 The key considerations are the appearance of the proposals and impact on neighbour amenity.

Appearance

8.2 The chimney on the rear elevation is not a common feature of other houses in the area and its removal would not have any significant impact. The additional rear extension and conservatory are of an appropriate design.

Impact on Neighbour Amenity

8.3 The additional element of the rear extension (increasing the single storey rear extension to the boundary with number 65) would be prominent from the

neighbouring property. However, the two dwellings are angled away from each other and this is sufficient to alleviate the impact of this additional element.

- 8.4 The rear extension projects approximately 1.8 metres beyond the rear wall of the neighbouring extension at number 69. The conservatory would be set back from the boundary by approximately 0.7 metres and extend approximately a further 3.9 metres before the final metre angles further away from the boundary. This is further than the guidance in SPG4 and more than could be achieved under permitted development rights.
- 8.5 However, the only element of the conservatory above the height of the existing 1.8 metre high boundary fence would be glazing (obscure glazed to protect privacy). The conservatory would also be partially screened by the existing rear extension and set back from the boundary. Under permitted development rights, the applicant is currently replacing the existing wooden fence, potentially with a two metre high wall which would further screen the conservatory.
- 8.6 When taken together with the existing rear extension, the length of development along and close to the shared boundary would increase. However, there is a significant difference between the height and massing of the existing extension and the proposed conservatory. Given these differences, it is considered that the addition of a conservatory set back from the boundary, would not result in an overbearing form of development or a material change to the outlook from number 69 and is therefore acceptable.

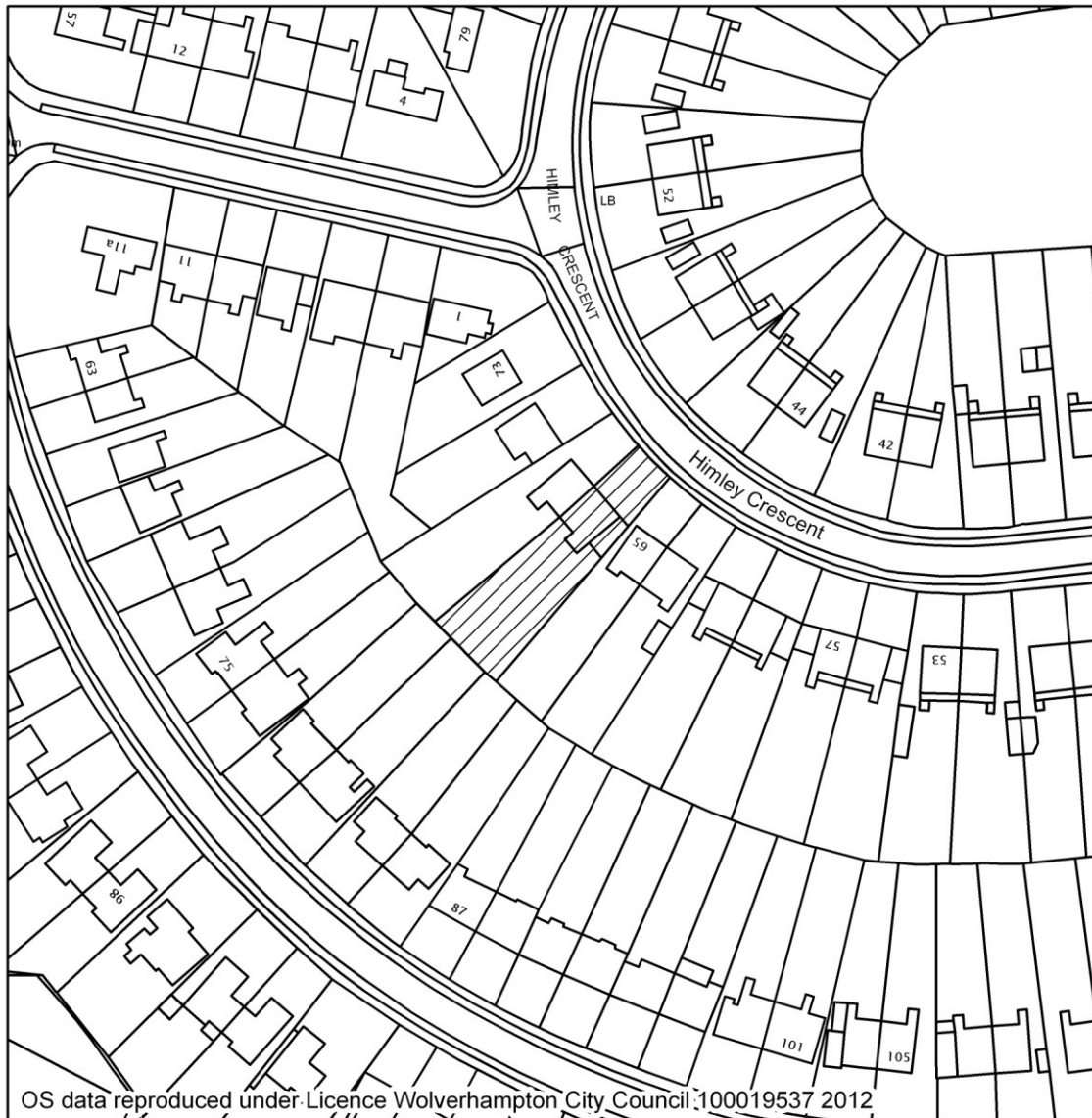
9. Conclusion

- 9.1 The proposal is acceptable and complies with the Wolverhampton UDP saved policies D4, D7, D8 and D9, SPG4 and adopted BCCS policies CSP4 and ENV3.

10. Recommendation

- 10.1 That planning application 12/01207/FUL be granted, subject to any appropriate conditions including:
- Matching materials

Case Officer : Mr Tom Podd
Telephone No : 01902 551128
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01207/FUL

Location	67 Himley Crescent, Wolverhampton, WV4 5DE		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 390954 296140
Plan Printed	17.12.2012	Application Site Area	488m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01329/FUL

WARD: Tettenhall Wightwick

RECEIVED: 31.10.2012

APP TYPE: Full Application

SITE: Land Opposite 14, Sycamore Drive, Wolverhampton

PROPOSAL: Erection of two dwellings

APPLICANT:

Mrs F Lea
4 The Appleyard
Dean Street
Brewood
Staffordshire
ST19 9EN

AGENT:

Mr Ivan Coombes
Ivan Coombes Associates
Vine Lodge
Salop Street
Bridgnorth
Shropshire
WV16 5BH

COMMITTEE REPORT:

1. Site Description

- 1.1 The site is located at the end of Sycamore Drive (off Linden Lea). It is triangular shaped and gently rises from south to north by approximately 1.5m. The site is within the Ash Hill Conservation Area.
- 1.2 Immediately to the east are a number of bungalows and dormer bungalows on Linden Lea. To the north is a pair of semi-detached two storey dwellings, 5 and 7 The Burrow, off Ash Hill.
- 1.3 On the western boundary, although not within the site, are two protected trees. Trees and shrubs line the western and northern boundaries of the site.
- 1.4 A public drain crosses the site from north to south parallel to the rear boundaries of the properties on Linden Lea.

2. Application details

- 2.1 The application has been made for the erection of two dwellings with access into the site from Sycamore Drive. The dwellings would be two storeys in scale each with three bedrooms.
- 2.2 The properties would be finished in a mixture of red cedar cladding and render with raised seam zinc sheet for the roof. The dwellings would have large floor to ceiling windows on the southern and western elevations with smaller windows serving largely non-habitable rooms on the northern elevation.
- 2.3 Each property would have a private driveway and garage with amenity space to the rear and side of the dwellings.

3. Constraints

- 3.1 Ash Hill Conservation Area
Public Drain Extends Across the Site

4. Relevant Policy Documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 4.3 SPG 3 'Residential Development'

5. Environmental Impact Assessment Regulations

- 5.1 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 Six representations received. These object to the proposal on the following grounds;
- Scale of the buildings is out of character, would prefer single storey dwellings
 - Loss of light
 - Loss of privacy
 - Adversely affecting outlook
 - Noise disturbance
 - Design and appearance is out of character
 - Detrimental impact on conservation area
 - Future occupiers could be adversely affected by noise disturbance from personal music studio in the rear garden of 7 The Burrow

7. Internal Consultees

- 7.1 **Historic Environment Team** – The scheme is well-designed and should positively enhance the appearance of the conservation area.
- 7.2 **Environmental Health** – No objection.

8. Legal Implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications.
- 8.2 When an application is situated 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.
- 8.3 In accordance with Regulations 13 and 14 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 subject to exceptions, including the the implementing of planning permission, no person shall cut down, top, lop, uproot, wilfully damage, or wilfully destroy any tree to which a Tree Preservation Order relates or cause or permit such activities except with the written consent of the local planning authority and in accordance with that consent. **KR/19122012/W**

9. Appraisal

- 9.1 The key issues are: -

- Principle of residential development
- Character and appearance and Impact on the Conservation Area
- Impact on neighbour amenity
- Access and parking

Principle of residential development

- 9.2 The application site forms a triangular plot of land between properties on Linden Lea, Sycamore Drive, and The Burrow. The surrounding area is residential in character and the site can be accessed directly off Sycamore Drive. The principle of residential development on this site is compatible with the surrounding area and is therefore in accordance with UDP policy H6.

Character and appearance and Impact on the Conservation Area

- 9.3 The proposed dwellings demonstrate a high quality contemporary design. The properties have been designed with a strong vertical emphasis with floor to ceiling windows maximising solar gain on the southern and western elevations. The use of cedar wood cladding and zinc roofing reflects the contemporary approach adopted in the design of these buildings.
- 9.4 Residential development in the surrounding area is varied in its style, design and scale. It is considered that there is no consistent scale or form of development in the immediate area and therefore the proposed dwellings would not appear out of character but would be compatible with the general pattern of building heights in the area.

- 9.5 It is therefore considered that, although unique in their design and appearance, the proposed dwellings demonstrate a high quality design which would enhance the character and appearance of the conservation area and would be appropriate in respect of UDP D7, D8, D9, H6, HE4 and HE5 and BCCS policies ENV2 and ENV3

Impact on neighbour amenity

- 9.6 The proposed dwellings would be located in proximity to nearby properties at Linden Lea and The Burrow. Objections have been made on grounds that development would adversely affecting outlook and result in a loss of privacy.
- 9.7 The footprint of the building and positioning of 1st floor windows have been orientated to minimise the potential for overlooking or loss of privacy to neighbouring properties. Habitable room windows have been appropriately positioned to avoid direct overlooking into neighbouring residential garden areas and dwellings. These windows would be positioned sufficient distance away from neighbouring boundaries to avoid adversely affecting neighbour amenity to an unacceptable degree. Whilst there are bathroom and landing windows closer to neighbouring property boundaries, it is not considered that the impact of these would warrant recommending the application for refusal on these grounds.
- 9.8 The proposed dwellings would be adequately distant from the closest residential properties to maintain a satisfactory outlook. Although there is a level variation across the site and relative to the surrounding dwellings, based on the proposed finished floor level it is not considered that the development would appear unduly overbearing to an unacceptable degree. The proposal is satisfactory in respect of UDP policies D7 and D8.

Access and parking

- 9.9 The proposed development would provide adequate off street parking to serve each dwellinghouse. The site would be accessed at the end of a cul-de-sac, Sycamore Drive. The proposed parking and access arrangements are satisfactory and in accordance with UDP policy AM12 and AM15.

10. Conclusion

- 10.1 The application site is appropriate for residential development. The design and positioning of the proposed dwellings is appropriate in respect of their scale and massing and the relationship with the surrounding residential properties.
- 10.2 The contemporary design and appearance of the proposed dwellings is appropriate and would contribute towards creating a development that could enhance the character and appearance of the conservation area.
- 10.3 The parking and access arrangements for the proposed development are considered appropriate.
- 10.4 The proposed development for the erection of two dwellings is in accordance with the Council's UDP and BCCS policies.

11. Recommendation

11.1 That Planning Application 12/01329/FUL be granted, subject to any appropriate additional conditions and the following conditions:

- Submission of materials and joinery details
- Remove PD rights for introduction of further 1st floor windows
- Details of boundary treatments
- Tree protection measures during construction
- Sustainable drainage measures
- Hours of operation during construction

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



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01329/FUL

Location	Land Opposite 14, Sycamore Drive, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 388797 298310
Plan Printed	17.12.2012	Application Site Area	1523m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 11/00738/EXT

WARD: Blakenhall

RECEIVED: 27.07.2011

APP TYPE: Extension of time

SITE: 251 Parkfield Road, Wolverhampton, WV4 6EG

PROPOSAL: Application to extend the time limit for implementing permission 06/01629/FUL for 24 apartments.

APPLICANT:

Arco Properties Ltd
C/O 78E Wednesbury Road
Walsall
WS1 4JH

AGENT:

Martyn Bramich Associates
Miria House
1683B High Street
Knowle
Solihull
B93 0LL

COMMITTEE REPORT:

1. Background

- 1.1 This application was reported to Planning Committee on 4th October 2011. Committee delegated authority to the Interim Director for Education and Enterprise to grant permission subject to the signing of a Section 106 Agreement. The delegation allowed for a waiver of S106 obligations (affordable housing, public open space/play contribution, public art) on the grounds of lack of financial viability, for three years from the date of the Committee meeting.
- 1.2 It has taken over a year for the applicant to demonstrate a lack of financial viability, but now this has been confirmed by the District Valuer.

2. Site Description

- 2.1 This 0.24ha site is located approximately 2 miles to the south of the City Centre, on the north side of Parkfield Road, opposite the junction with New Street. It was formerly occupied by a petrol filling station. That use ceased about ten years ago.
- 2.2 To the north of the site are flats, accessed off Hailes Park Close. To the west, is a GP surgery / health centre. The eastern boundary is formed by the side of 247 Parkfield Road, a two storey house.
- 2.3 There is a group of trees at the rear of the site that are of amenity value but are not protected.
- 2.4 The site is affected by a Highway Improvement Line (HIL).

3. Application Details

- 3.1 This application seeks an extension of time by 3 years to implement planning permission 06/01629 for a three storey block of 24 two bedroomed flats.

4. Planning History

- 4.1 06/01629/FUL. Erection of twenty four, two bedroomed flats. Granted 22nd September 2008.

5. Relevant Policies

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

6. Environmental Impact Assessment Regulations

- 6.1 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 Transportation – No objection.
- 8.2 Tree Officer – No objection subject to tree protection measures.
- 8.3 Environmental Services – No objection subject to conditions requiring traffic noise mitigation measures.

9. Legal Implications

- 9.1 General legal implications are set out at the beginning of the schedule of planning applications.
- 9.2 Where circumstances justify a flexible approach to planning obligations in the economic downturn, Cabinet is aware that in coming to any individual decision,

Planning Committee will have due regard to the Planning and Compulsory Purchase Act 2004, The Town and Country Planning Act 1990, the existing Development Plan Policies, all relevant Planning Policy Statements together with having particular to the necessary tests required by the Localism Act 2011 and all relevant material considerations.

- 9.3 Where planning permission has already been granted, any change to the Section 106 agreement will have to be justified and approved by Planning Committee as applications to discharge planning obligations can be made by the landowner 5 years after the grant of permission. Legal implications reference LM/10122012/T.

10. Appraisal

- 10.1 As this application is for an extension of time for development that was previously considered acceptable, the focus should now be on development plan policies and other material considerations which have changed significantly since permission was granted in 2008.
- 10.2 The BCCS was adopted in 2011. While there are no BCCS policies which indicate that the extension of time should not be permitted, there are new policy requirements. There has been no other material change in circumstances.
- 10.3 There is a requirement for affordable housing, public open space/play contribution (£60,018), public art, 10% renewable energy and targeted recruitment and training (UDP policies H8 and D14 and BCCS policies HOU3, EMP5 and CSP4).
- 10.4 Since this application was last considered by Planning Committee it has been demonstrated that the development would not be sufficiently financially viable to provide affordable housing, open space / play contribution or public art. In accordance with the Council's flexible approach to S106 agreements (endorsed by Cabinet. 23rd March 2011) it is recommended that the requirement for those S106 obligations should be waived, 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 by that date.

11. Conclusion

- 11.1 The development is acceptable and in accordance with the development plan, subject to a S106 and conditions as recommended.

12. Recommendation

- 12.1 That the Interim Director of Education and Enterprise be given delegated authority to grant planning application 11/00738/EXT subject to:
1. The completion of a S106 agreement to secure:
 - Targeted recruitment and training

- A management company to carry out management and maintenance of communal areas
 - Affordable housing, public open space/play contribution, and public art (BCIS indexed), 10% renewable energy on a pro-rata basis for each flat that is not ready for occupation within 3 years from the date of this Planning Committee meeting.
2. Any necessary conditions to include:
- External materials
 - Landscaping (including tree protection and boundary treatments)
 - Ground investigation and remediation
 - Hours restriction during remediation and construction
 - Noise attenuation
 - Provision and retention of car parking areas
 - Cycle and motorcycle parking
 - Refuse storage
 - Making good of redundant kerbs
 - Gates to be a minimum of 6m from kerb line
 - Amend road markings in accordance with new development
 - Site waste management plan
 - Drainage

Case Officer : Mr Phillip Walker
Telephone No : 01902 555632
Head of Planning – Stephen Alexander



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 11/00738/EXT

Location	251 Parkfield Road, Wolverhampton, WV4 6EG		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 392094 296594
Plan Printed	17.12.2012	Application Site Area	2398m ²

PLANNING COMMITTEE - 08-Jan-13

APP NO: 12/01411/FUL

WARD: St Peters

RECEIVED: 28.11.2012

APP TYPE: Full Application

SITE: Telecommunications Equipment On MK Block, University Of
Wolverhampton, Molineux Street, Wolverhampton

PROPOSAL: The installation of 4 microwave dishes with associated support poles.

APPLICANT:

Mrs Joanne Gilsean
Western Power Distribution
Surf Telecoms
Western Power Distribution
Herald Way
Castle Donington
DE74 2TU

AGENT:

COMMITTEE REPORT:

1. Site Description

1.1 The application site is the Wolverhampton University Faculty of Art and Design Building which is located on the northern side of Ring Road St Peter's close to its junction with Stafford Street.

2. Application details

2.1 The application seeks planning permission for the installation of 4 x dish antenna and associated supports.

3. Planning history

3.1 A number of applications have been approved for the installation/replacement of telecommunication and radio equipment on the rooftop of the building.

4. Relevant Policy Documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

4.3 Other relevant policy documents:
Interim Telecommunications Policy

5. Environmental Impact Assessment Regulations

- 5.1 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 have been received.

7. Legal Implications

- 7.1 General legal implications are set out at the beginning of the schedule of planning applications. Legal implications reference: LM/13122012/T

8. Appraisal

- 8.1 The key issues are:

- Principal of the development
- Character and appearance

Principal of the Development

- 8.2 Advanced high quality communications infrastructure is essential for sustainable economic growth. The development of telecommunication technology plays a vital role in enhancing the provision of local community services and facilities. The improvement of the telecommunications network is supported by both the NPPF and local planning policies. Consequently providing it can be demonstrated the installation is necessary, is appropriately designed and sensitively sited the development is acceptable in principle.

Character and Appearance

- 8.3 The information submitted with the application states that the proposed dishes are required to improve network capacity and provide a more robust link in the transmission facilities, ensuring that signals from this site can be effectively relayed to the rest of the network.
- 8.4 The proposal will result in some additional supporting structures. However, where possible the applicant will place the proposed dishes on existing telecommunications equipment.
- 8.5 The subject building is the eight storey high MK block situated within the campus of Wolverhampton University. The roof of the building already has an extensive array of telecommunications and radio equipment sited upon it. Due to the height of the application building and the size of the proposed dishes the development will have no adverse impact on the character of the area or the appearance of the street scene.

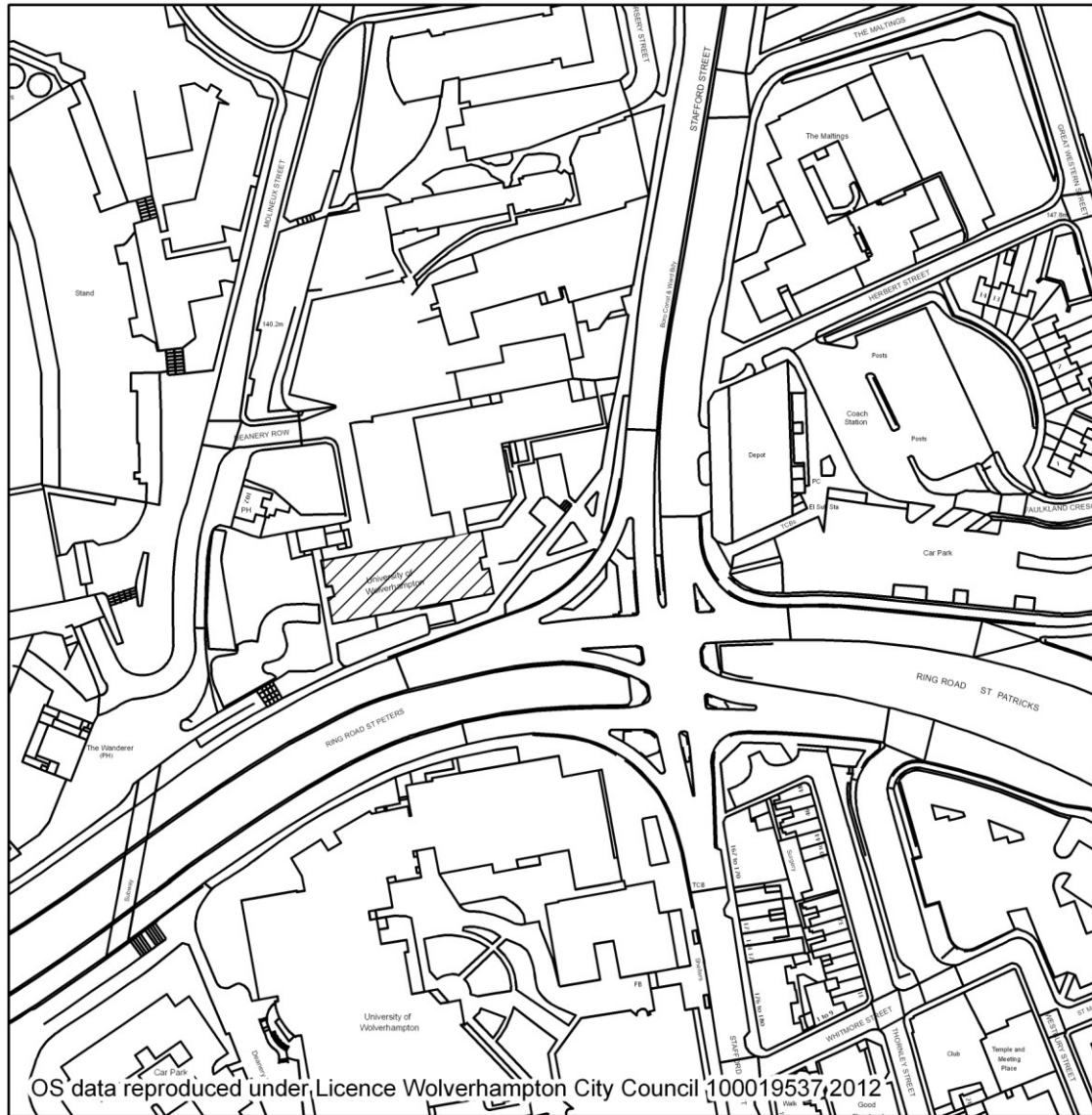
9. Conclusion

- 9.1 The applicant has demonstrated there is a need for the additional dishes to improve network output. As the site already has an extensive range of telecommunications equipment on the rooftop of the building, the site is considered to be acceptable. Due to the size of the dishes and their siting on the roof of the building there will be no adverse effect on the character and appearance of the area. The proposal is therefore compatible with UDP policies D4, D6, D9, EP20 and BCCS policies CSP4 and ENV3 and the Council's Interim Telecommunications Policy.

10. Recommendation

- 10.1 That planning application 12/01411/FUL be granted.

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



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Planning Application No: 12/01411/FUL

Location	Telecommunications Equipment On MK Block, University Of Wolverhampton, Molineux Street, Wolverhampton		
Plan Scale (approx)	1:1250	National Grid Reference	SJ 391414 299081
Plan Printed	17.12.2012	Application Site Area	1176m ²