

MINUTES

meeting: **PLANNING COMMITTEE**

date: **5 MARCH 2013**

PRESENT:-

Councillor Leach (Vice Chair),
Councillors Banger, Clarke, Darke, Gwinnett, Hardacre, Inston, John Rowley, Mrs Thompson, Turner and Yardley

OFFICERS IN ATTENDANCE:-

Delivery Directorate

L Delrio - Solicitor
J Wright - Democratic Support Officer

Education and Enterprise Directorate

S Alexander - Head of Planning
A Carter - Planning Officer
I Holliday - Section Leader (Major applications and Historic Environment)
M Jones - Planning Officer
A Murphy - Section Leader (Planning Applications)
M Page - Section Leader - Transportation

Wolverhampton
City Council



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

177 **Apologies for Absence**

Apologies for absence were received from Councillor Judith Rowley.

Declarations of Interest

178 None declared.

Minutes

179 Resolved:-

That the minutes of the meeting held on 5 February 2013 be approved as a correct record.

Matters Arising

180 None.

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 12/01478/FUL Woodthorne Wergs Road Wolverhampton

The Section Leader informed the Committee that the applicant had reduced the height of the apartment block to three storeys and consequently the number of proposed dwellings had reduced from 62 to 58. He indicated that additional conditions could be attached to any permission to ensure obscure glazing was provided to maintain the privacy of neighbours.

Mr Dodd spoke in opposition to the application.

Mr Rowson spoke in support of the application.

Some members of the Committee expressed their concerns about the application and in particular the size of the apartment block, loss of mature trees, wildlife, loss of privacy and the location of the apartments within the site.

Other members of the Committee welcomed the application and its ability to meet the need for aspirational housing in the city.

181

Resolved:-

That the Interim Strategic Director for Education and Enterprise be given delegated authority to grant planning application 12/01478/FUL subject to:

(i) Negotiation and completion of a S106 to include:

- 25% affordable housing (commuted sum £541,000 BCIS indexed)
- Public open space contribution (£134,275.89 BCIS indexed)
- 10% renewable energy
- Public art
- Targeted recruitment and training
- Management company for communal spaces

(ii) Any necessary conditions including:

- Materials
- Landscaping/boundary treatment
- Nature Conservation
- Drainage
- Site waste management plan
- Bin/cycle stores and motorcycle parking stores for flats
- Remove pd for walls/gates between houses and roads
- No gating of access road
- East/West elevations of apartments to have obscure glazing above ground floor
- Ground contamination
- Measures to reduce impact of construction on residents
- Tree protection measures
- Provision of visibility splay at main access
- Windows/rooflights, above ground floor, to landings, shower and bathrooms in rear of plots 1 & 2 to be obscure glazed
- Remove PD rights for new windows/rooflights/dormer windows, above ground floor, in rear of plots 1 & 2

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**Planning Application 12/01267/FUL 48 Primrose Lane
Wolverhampton**

The Section Leader informed the Committee of an amendment to one of the proposed conditions.

Councillor Steve Evans spoke in opposition to the application.

Some Members of the Committee wanted to understand the differences between the current application and one previously granted permission on appeal and felt that a site visit should be undertaken.

182

Resolved:-

That consideration of planning application 12/01267/FUL be deferred to enable a site visit to take place prior to the next meeting of the Committee.

Planning Application 13/00090/FUL Land Rear Of 169 Caledonia Road Wolverhampton

The Section Leader reminded the Committee of the revised version of the report which had been circulated and informed the Committee of an additional proposed reason for refusal.

183

Resolved:-

That Planning Application 13/00090/FUL be refused for the following reasons:

1. Unacceptable form of back-land development of a build type and layout which detracts from the established locally distinctive build type and form and contributes nothing to the street scene or local distinctiveness.
2. The submitted plans do not show the proposed means of vehicle access to serve the three on-site parking spaces shown.
3. The internal layout and orientation is impractical in respect of the rear windows and doors proximity to the rear boundary and does not make best use of potential solar radiation having lounge and master bedrooms facing directly north.
4. The proposal is therefore contrary to the NPPF , BCCS policy CPS4 and UDP policies H6, D4, D5 & D6 D13 and SPG No 3.
5. It would result in the loss of the greater part of the amenity space approved as part of the earlier planning approval on the site, and what would remain would be insufficient to meet standards in respect of provision of amenity space for the total number of proposed flats

Planning Application 13/00076/FUL Staffordshire Volunteer Collingwood Road Wolverhampton

Mrs Mann spoke in opposition to the application.

184

Resolved:-

That planning application 13/0076/FUL be granted subject to the following conditions:

- Hours of use 11:00-23:00, Monday to Sunday
- Hours of delivery,
 - 08:00-18:00 Monday to Saturday
 - 09:00-18:00 Sundays and Bank Holidays
- Ventilation details
- Noise level control on air conditioning, heating and ventilation plant

Planning Application 13/00011/FUL Land Between Black Country Route And Railway Drive Bilston

Some Councillors expressed concern at the size of the proposed development, its appearance and lack of amenity space. It was felt that the proposal could lead to overdevelopment of the site. Concern was also expressed about the lack of a satisfactory coal mining risk assessment, air quality and the impact of noise on residents.

Some Councillors also expressed concern about the deliverability of the proposed Section 106 agreement.

The Committee was reminded that if they were minded to refuse the application they should only do so on clear and convincing planning grounds.

185 Resolved:-

That planning application 13/00011/FUL be refused for the following reasons:

- Overbearing impact
- Overdevelopment
- Appearance
- Lack of amenity space
- Lack of a satisfactory coal mining risk assessment
- Air quality
- Noise

**Planning Application 12/00242/FUL Fallings Park Service Station
482 Cannock Road Wolverhampton**

Councillor Steve Evans spoke in opposition to the application.

Mr Sanderson spoke in support of the application.

Whilst some members expressed concerns about the possible impact of the development on the surrounding highways there was recognition that there were insufficient grounds to refuse the application.

186 Resolved:-

That planning application 12/00242/FUL be granted subject to the following conditions:

- Acoustic fence
- Landscape details
- Hours of use:
 - Restaurant 09:00 – 23:00 Monday to Sunday,
 - Drive thru 09:00 – 00:00 Monday to Saturday; and
 - 09:00 - 23:00 on Sundays and bank holidays
- Hours of delivery:
 - 0800 hrs to 1800 hrs – Monday to Saturdays
 - 0900 hrs to 1800 hrs – Sundays and bank holidays
- Highway improvement details
- External lighting
- Bin store details
- Hours of bin store use
 - 0800-2000 Monday - Sunday
- Extraction units
- Hours of construction
 - 0800-1800 Monday – Friday
 - 0800-1300 Saturday
 - No time on Sundays and bank holidays

**Planning Application 12/00038/FUL Long Acres Public House
Dilloways Lane Wolverhampton**

The Planning Officer informed the Committee that an addition 21 letters of objection and a petition signed by 171 people objecting to the application had been received.

187

Resolved:-

That planning application 12/00038/FUL be granted subject to any necessary conditions including:

- Matching materials
- Installation of approved ventilation system.
- Restrict opening / delivery hours to 8am – 8pm.
- Restrict the use of amplified sound equipment.
- Measure to mitigate impact of construction on local residents (i.e. no construction outside hours of 0800-1800 Monday-Friday, 0800-1300 Saturdays and at no times on Sundays or Bank Holidays
- Provision and retention of access points and car parking areas
- Cycle and motorcycle parking
- Landscaping implementation

**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 had been withdrawn by the applicant, or determined in other ways.

175

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.

176

Resolved:-

That the report be received.