

PLANNING COMMITTEE REPORT 21-May-13

APP NO: 11/00627/OUT **WARD:** Wednesfield South

APP TYPE: Outline Application

SITE: Jennie Lee Centre, Lichfield Road, Wednesfield, Wolverhampton

PROPOSAL: Outline application with all matters reserved. The re-development of the Jennie Lee Centre site and adjoining open space for up to 217 dwellings.

APPLICANT:

Tim Johnson
Wolverhampton City Council
Civic Centre
St Peters Square,
Wolverhampton
WV1 1RL

AGENT:

Sheila Dixon
Wolverhampton City Council
Civic Centre
St Peters Square
Wolverhampton
WV1 1RL

COMMITTEE REPORT:

1. **Purpose of Report**

1.1 To update Councillors and make a recommendation

2. **Background**

2.1 On 9th April 2013 Planning Committee resolved that delegated authority be given to the Interim Strategic Director for Education and Enterprise to grant planning application 11/00627/FUL subject to the completion of a Section 111 Agreement to secure the Section 106 obligations to include:-

- **For the development site as a whole:**
 - 25% Affordable Housing (80% affordable rent and 20% shared ownership/shared equity)
 - Road Safety measures £20,000
 - Loss of Open Space (not playing fields) contribution £412,216
 - Management plan and commuted sum for maintenance of the on-site open space £139,200
 - Targeted recruitment and training
 - Management company for communal areas including any unadopted roads
 - Thermal Solar panels for 7 dwellings to contribute towards the 10% of the estimated residual energy (£25,000)

- For all dwellings completed after 4 years of the date of this committee on a pro-rata basis:
 - Off-site open space and play contribution (£1699.64 per dwelling)
 - Canalside Improvements (£276.49 per dwelling)
 - Public Art (£741.93 per dwelling)
 - Residential Travel Plan (£750 per dwelling)
 - Renewable Energy (£1313 per dwelling)

- (i) Any necessary conditions to include:-
 - Limit maximum number of dwellings to 217
 - Floor plans of dwellings
 - Limit minimum area of open space to 1.6 hectares
 - Building recording prior to demolition
 - Site waste management plan
 - Follow-up badger survey (prior to commencement)
 - Bat boxes/bricks
 - Materials
 - Landscaping (including hard and soft features in the SUDs area)
 - Ecology Walkover and Phase 1 Habitat Survey
 - Acoustic Survey
 - Residential travel plan
 - Measures to protect residents during construction including hours of construction
 - Levels (existing and proposed)
 - Site investigation report
 - Tree survey and report
 - Tree protection measures
 - Drainage (including details of SUDs sufficient to reduce surface water flows back to equivalent greenfield rates)
 - Cycle Parking (apartments)
 - Refuse storage (apartments)
 - Boundary Treatment
 - Traffic calming

3. Updating- Legal Implications

- 3.1 The Council is landowner and does not intend to sell the whole site in one transfer to a developer. Instead the land will be sold off in plots to the developer when that plot has been developed and is ready to be sold on to a third party. Because of this arrangement it is not possible to have a Section 106 Agreement to be secured through a S111 Agreement. Instead the planning obligations which would normally be secured through Section 106 can be secured through the Development Agreement. This would mean that the City Council as landowner would ensure that the planning obligations are complied with and the developer would be required to comply with the obligations. The Development Agreement is a legal document which is used in conveyancing to set out the conditions of a sale and purchase prior to

exchange of contracts. Because the Council is landowner it would be able to retain control of the land. (LD/16052013/P).

4. Recommendation

4.1 That the Strategic Director for Education and Enterprise be given delegated authority to grant planning application 11/00627/FUL subject to the signing of the development agreement to secure the planning obligations which shall include:-

- For the development site as a whole:
 - 25% Affordable Housing (80% affordable rent and 20% shared ownership/shared equity)
 - Road Safety measures £20,000
 - Loss of Open Space (not playing fields) contribution £412,216
 - Management plan and commuted sum for maintenance of the on-site open space £139,200
 - Management company for communal areas including any unadopted roads
 - Thermal Solar panels for 7 dwellings to contribute towards the 10% of the estimated residual energy (£25,000)
 - Targeted recruitment and Training
- For all dwellings completed after 4 years of the date of this committee on a pro-rata basis:
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(ii) Any necessary conditions to include:-

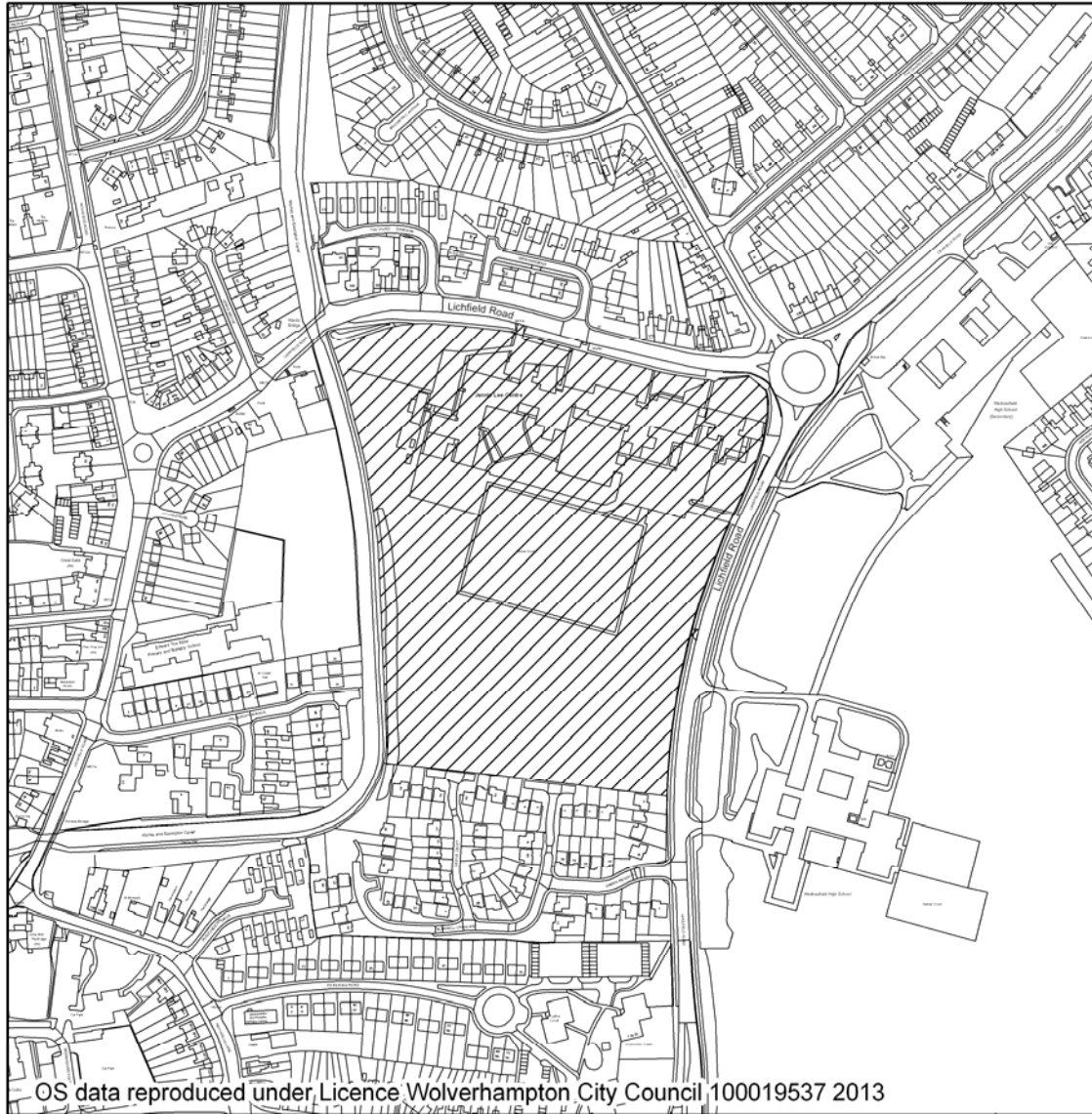
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Case Officer : Jenny Davies

Telephone No : 01902 5608

Head of Planning – Stephen Alexander



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Location	Jennie Lee Centre, Lichfield Road, Wednesfield, Wolverhampton		
Plan Scale (approx)	1:5000	National Grid Reference	SJ 394941 300650
Plan Printed	16.05.2013	Application Site Area	67962m ²