



Planning Committee

7 January 2014

Planning Application No	13/00421/OUT	
Site	45 Rookery Road and land to the rear	
Proposal	Outline for residential development with all matters reserved apart from access	
Ward	Spring Vale	
Applicant	Mr M Howell	
Agent	Mr J Sedgemore	
Cabinet Member with Lead Responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Accountable Strategic Director	Tim Johnson, Education and Enterprise	
Planning Officer	Name	Mark Elliot
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1. Summary Recommendation

- 1.1 Delegated authority to grant subject to signing of a Section 106 agreement and conditions

2. Application site

- 2.1 The site comprises 45 Rookery Road and an area of undeveloped land to the rear of 29 to 45. It slopes upwards from east to west. At the highest point there is an electricity pylon with its lines extending easterly across the site.
- 2.2 Access is from Bayliss Avenue, a narrow residential cul-de-sac off Rookery Road.

- 2.3 There is a larger open space to the south of the site which has an extant outline planning consent for a care home.

3. Application Details

- 3.1 Outline planning permission is sought for residential development with all matters reserved apart from access. To facilitate access Bayliss Avenue would be widened, utilising land to the side of 45 Rookery Road, to provide 1800mm wide pavements and a 5500mm wide highway. A new road would then extend from Bayliss Avenue into 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 SPG3 '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 objections have been received which can be summarised as follows:
- Increased traffic and adverse impact on highway safety
 - Mine shafts in the area – land not suitable for development
 - Proximity to electricity pylons
 - Loss of privacy / light / security
 - Increased noise disturbance
 - Detrimental impact on the environment

7. Internal Consultees

- 7.1 Transportation – No objection.
- 7.2 Environmental Services – No objection subject to conditions for a construction management plan and a site investigation for contaminated land.

8. External Consultees

8.1 Coal Authority – No objection subject to a condition requiring a site investigation to establish any mining legacy issues and if necessary remedial measures.

8.2 Severn Trent Water – No objection subject to a condition requiring drainage details.

9. Legal Implications

9.1 Planning Obligations must now as a matter of law comply with the following tests, namely, they must be:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development.

(LD/12122013/A)

10. Appraisal

10.1 The key issues are:-

- Principle of residential development
- Highway safety
- Neighbour amenity
- Section 106

10.2 Acceptability of Site for Residential Development

The area is predominantly residential. The site is undeveloped and is not identified in the Development Plan for a specific use.

10.3 Immediately to the south is land with an unimplemented outline planning permission for a care home, granted in 2012.

10.4 Residential development would in principle be in keeping with the area and acceptable. The detail would be dealt with at the reserved matters stage (except for access).

10.5 Access and Highway Safety

Details of access are provided for determination at this stage. Access works would include the widening of Bayliss Avenue and improved visibility at the junction with Rookery Road. Details of the proposed layout and gradient of the new road have been provided and it has been demonstrated that it can be constructed to an adoptable standard. The proposed access is acceptable

10.8 Neighbour Amenity

An indicative layout shows sixteen semi-detached houses. Objections have been made that the layout shown appears overbearing and would result in a loss of privacy. However, the layout is only illustrative and details of the number of houses, how they will be arranged on the site, how big they will be and what they will look like would be determined at the reserved matters stage.

10.9 Overhead power lines cross the site. There is no planning reason to refuse dwellings in proximity to power lines.

10.10 Section 106

In accordance with the development plan and in compliance with the relevant tests referred to above, there would be a requirement for:

- Targeted recruitment and training
- Highway works to Bayliss Avenue
- 25% affordable housing (15+ dwellings)
- Off-site contribution for open space and play (10+ dwellings)
- 10% renewable energy (10+ dwellings)
- Management company for communal areas

11. Conclusion

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

12 Detailed Recommendation

12.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 13/00421/OUT subject to:

- (i) Negotiation and completion of a Section 106 agreement to secure;
 - Targeted recruitment and training
 - Highway works to Bayliss Avenue
 - 25% affordable housing (15+ dwellings)
 - Off-site contribution for open space and play (10+ dwellings)
 - 10% renewable energy (10+ dwellings)
 - Management company for communal areas
- (ii) Any necessary conditions to include:
 - Standard outline conditions
 - Levels
 - Land contamination
 - Drainage

- Mining Investigation
- Resource and waste management plan
- Measures to mitigate impact on neighbours
- Floor plans
- Number of dwellings to be in accordance with approved reserved matters & floor plans



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