



# Planning Committee

## 4 February 2014

**Time** 2.00pm      **Public meeting?** YES      **Type of meeting** Regulatory

**Venue** Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

**Room** Committee Room three (3<sup>rd</sup> floor)

### Membership

**Chair** Cllr Linda Leach (Labour)  
**Vice-chair** Cllr Harman Banger (Labour)

#### Labour

Cllr Claire Darke  
Cllr Michael Hardacre  
Cllr Julie Hodgkiss  
Cllr Keith Inston  
Cllr John Rowley  
Cllr Bert Turner

#### Conservative

Cllr Matthew Holdcroft  
Cllr Mrs Wendy Thompson  
Cllr Jonathan Yardley

#### Liberal Democrat

Cllr Malcolm Gwinnett

Quorum for this meeting is three Councillors.

### Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

**Contact** John Wright  
**Tel** 01902 555048  
**Email** [john.wright@wolverhampton.gov.uk](mailto:john.wright@wolverhampton.gov.uk)  
**Address** Democratic Support, Civic Centre, 2<sup>nd</sup> floor, St Peter's Square,  
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

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**Tel** 01902 555043

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

## Part 1 – items open to the press and public

*Item No.*    *Title*

### MEETING BUSINESS ITEMS

1.            **Apologies for absence**
2.            **Declarations of interest**
3.            **Minutes of the previous meeting (7 January 2014)**  
[For approval]
4.            **Matters arising**  
[To consider any matters arising from the minutes]

### DECISION ITEMS

5.            **Planning Application 13/01192/FUL 20 Glyme Drive, Wolverhampton**  
[To determine the application]
6.            **Planning Application 13/01240/FUL The White Cottage, Stockwell End  
Wolverhampton**  
[To determine the application]
7.            **Woodland Management: Application to fell 30 trees covered by Tree  
Preservation Order Tettenhall College, Wood Road, Tettenhall**  
[To determine the application]



# Planning Committee

## Minutes – 7 January 2014

### Attendance

#### Members of the Committee

Cllr Linda Leach (Chair)

Cllr Harman Banger (Vice Chair)

Cllr Claire Darke

Cllr Malcolm Gwinnett

Cllr Michael Hardacre

Cllr Julie Hodgkiss

Cllr Keith Inston

Cllr Mrs Wendy Thompson

Cllr Bert Turner

#### Staff

Stephen Alexander

Lisa Delrio

Bryn Heywood

Ragbir Sahota

Phillip Walker

John Wright

Head of Planning

Senior Solicitor

Transportation Officer

Planning Officer

Planning Officer

Democratic Support Manager

### Apologies

Apologies for absence were received from Cllr John Rowley and Jonathan Yardley

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## Part 1 – items open to the press and public

*Item No.*     *Title*

### MEETING BUSINESS ITEMS

1.            **Declarations of interest**

Councillors Harman Banger, Claire Darke, Michael Hardacre, Julie Hodgkiss, Keith Inston and Linda Leach all declared a non pecuniary interest in agenda item 8 Planning Application 13/01042/FUL 423, 423A and 424 Dudley Road, Wolverhampton as the applicant was a fellow Labour councillor.

2.            **Minutes of the previous meeting**

Resolved:-

That the minutes of the meeting held on 3 December 2013 be approved as a correct record and signed by the Chair.

3.            **Matters arising**

There were no matters arising.

## DECISION ITEMS

### 4. **Planning Application 13/00779/FUL 24 Hanbury Crescent, Wolverhampton**

Mr Bisla spoke in support of the application.

Councillors expressed concerns about the size of the proposal and the effect it would have on neighbouring properties.

Resolved

That planning application 13/00779/FUL be refused for the following reason:

The proposed extension and dormer window would, by reason of its scale, height, massing and position relative to the house on the adjoining property at No.25 Hanbury Crescent have an unacceptable overbearing impact, appear over dominant, reduce the amount of light/sunlight, on the outlook presently enjoyed by that house. It would also result in the loss of privacy to the same neighbour because of the proposed balcony and French doors to the bedroom. The proposal is therefore contrary to the provision of UDP policies D6, D7, D8, D9 and BCCS policies ENV3 and CSP4

### 5 **Planning Application 13/00421/OUT 45 Rookery Road, Wolverhampton**

Mr Smith spoke in opposition to the application

Mr Sedgemore spoke in support of the application

Councillors expressed concern about access to the site and the effect of additional vehicle movements from Bayliss Avenue on to Rookery Road

Resolved

That planning application 13/00421/OUT be refused for the following reason:

The proposed development would be detrimental to highway safety due to intensification of vehicle movements at the junction of Rookery Road (A4126) and Bayliss Avenue and the steep gradient of Bayliss Avenue.

### 6 **Planning Application 13/01153/FUL The Warstones Inn, Warstones Road and Public Open Space to the rear (accessed from Rochford Grove and Buckley Road), Penn, Wolverhampton**

The Planning Officer advised the Committee that since the report had been written three additional letters of objection and one letter expressing no objection had been received. The Committee was also informed that cabinet had declared the public open space surplus to the Council's requirements. Amended plans showing wider car parking spaces had also been received. Consequently the recommendations had been amended. The Committee was also advised that the closure of the public footpath would be subject to a separate legal process and consultation.

Mr Stokes spoke about the application

Resolved

That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 13/01153/FUL subject to:

1. A development/legal agreement to secure
  - Loss of POS compensatory payment of £102,370.04 (BCIS indexed)
  - 25% affordable housing
  - 10% renewable energy
  - Targeted recruitment and training
  - Management company for communal spaces
  
- 2.. Any necessary conditions to include:
  - Landscaping
  - Boundary treatments (including electronic gates for communal car parking area)
  - Measures to mitigate impact on neighbours during construction
  - Drainage
  - Tree protection measures
  - Replacement street trees
  - Contaminated land remediation
  - Levels

**7 Planning Application 13/01042/FUL 423, 423A and 424 Dudley Road, Wolverhampton**

Resolved

That planning application 13/01042/FUL be granted, subject to any appropriate conditions including:

- Matching materials.
- Adequate Ventilation System
- 423A Dudley Road shall be maintained as one unit and shall not be separated into individual units.
- Adequate fire warning systems to be provided at 423A Dudley Road which shall be maintained thereafter.
- Sufficient space for refuse bins shall be provided and maintained within the premises and not on the adjacent car park.

**8 Planning Application 13/01145/FUL Land adjacent to 34 Thorneycroft Lane Wolverhampton**

The Committee was informed that the application had been withdrawn from this meeting.



# Planning Committee

4 February 2014

<b>Planning Application No</b>	13/01192/FUL	
<b>Site</b>	20 Glyme Drive	
<b>Proposal</b>	Erection of a two storey building, to provide 4 one-bedroom flats replacing the existing bungalow.	
<b>Ward</b>	Tettenhall Regis	
<b>Applicant</b>	Mr D Hope	
<b>Agent</b>	Mr C Bradley	
<b>Cabinet Member with Lead Responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity	
<b>Accountable Strategic Director</b>	Tim Johnson, Education and Enterprise	
<b>Planning Officer</b>	Name	Mark Elliot
	Tel	01902 555648
	Email	mark.elliott@wolverhampton.gov.uk

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## 1. Summary Recommendation

1.1 Grant subject to conditions

## 2. Application site

2.1 The site comprises 20 Glyme Drive, a single storey dwellinghouse. It is situated on the corner at the junction with Corve Gardens. Glyme Drive slopes downward towards Corve Gardens. Consequently the application site is slightly higher than the adjacent properties on Corve Gardens.

### **3. Application Details**

- 3.1 It is proposed to erect a two storey building to provide four one-bedroom flats replacing the existing bungalow. The proposal would largely retain the footprint of the existing building but would extend towards Corve Gardens by an additional one metre.
- 3.2 The proposal would provide three off street parking spaces and a shared amenity space to the rear 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 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 Seven objections have been made which can be summarised as follows:
- Exacerbate localised flooding
  - Inadequate parking provision
  - Out of character with the area
  - Overbearing impact and loss of privacy
  - Poor design
  - Highway safety

### **7. Consultees**

- 7.1 Transportation – No objection
- 7.2 Environmental Services – No objection
- 7.3 Severn Trent - No objection

## **8. Legal Implications**

- 8.1 There are no legal implications arising from this report (LD/21012014/A)

## **9. Appraisal**

- 9.1 The key issues are:-

- Character and appearance
- Neighbour amenity
- Highway safety
- Drainage

- 9.2 Character and appearance

The immediate area is largely characterised by two storey residential buildings but there is also a four storey block of flats on the adjoining site to the south. The principle of providing a two storey building to replace the existing bungalow would not appear out of character or scale with development in the area. The design and appearance of the building is acceptable.

- 9.3 Neighbour amenity

The proposed building would largely retain the footprint of the existing bungalow but would extend 1 metre closer towards Corve Gardens. The scale and massing of the building is appropriate and would not appear unduly prominent or overbearing. The proposal would not have an adverse impact on neighbour amenity.

- 9.4 Highway safety

The proposal would provide adequate off street parking and would not have an adverse impact on the highway network.

- 9.5 Drainage

Objections were made to the proposal on grounds that the development would exacerbate localised flooding on Corve Gardens. The proposal would not have a significant impact on existing drainage and surface water runoff and the matter can be satisfactorily addressed by condition.

## **10. Conclusion**

- 10.1 The proposal would be acceptable and in accordance with the development plan.

## **11. Detailed Recommendation**

- 11.1 That planning application 13/01192/FUL be granted, subject to any appropriate conditions including:

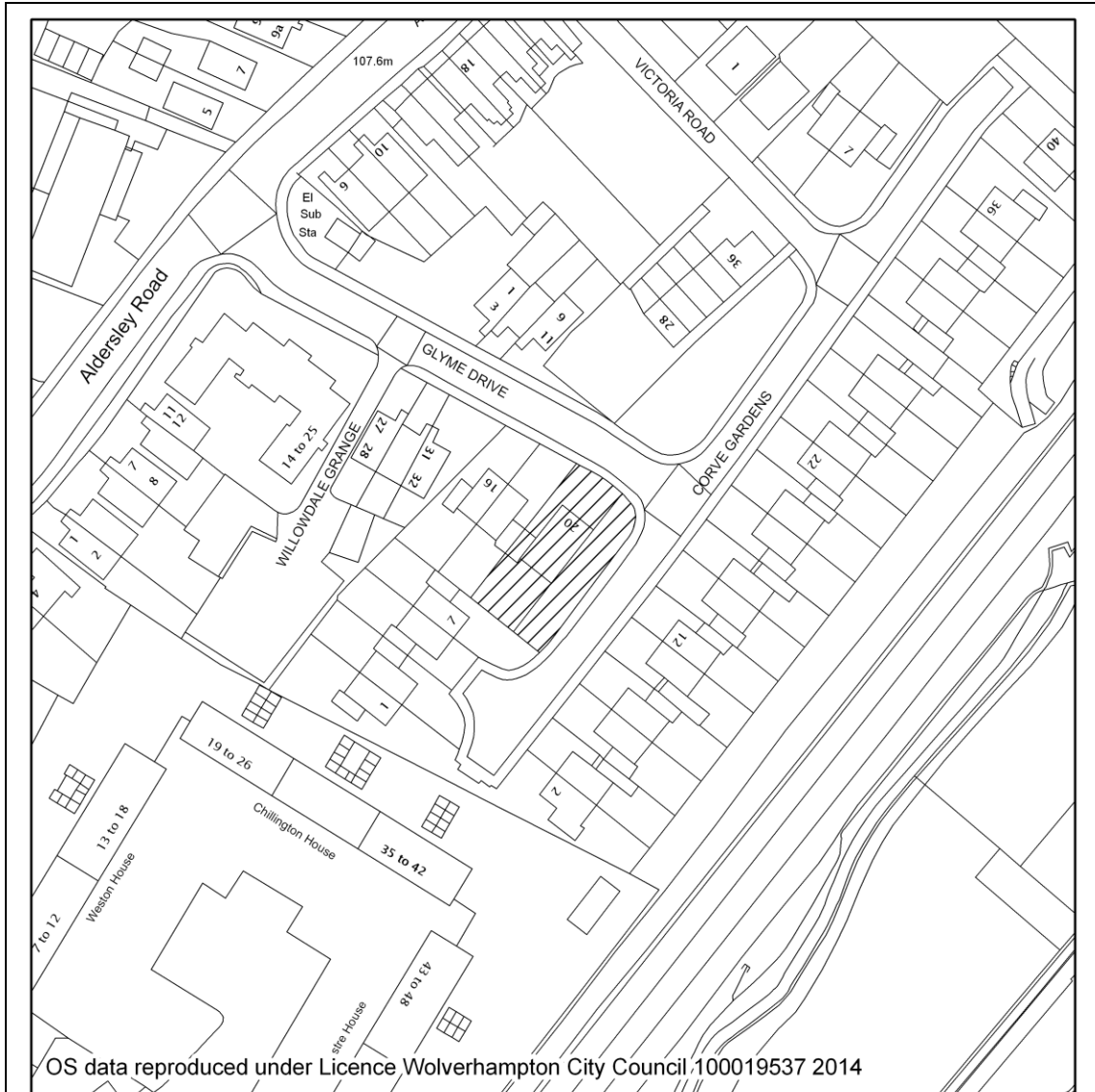
- Materials



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- Drainage
- Levels

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# Planning Committee

4 February 2014

<b>Planning Application No</b>	13/01240/FUL	
<b>Site</b>	The White Cottage, Stockwell End	
<b>Proposal</b>	Erection of a dormer bungalow	
<b>Ward</b>	Tettenhall Regis	
<b>Applicant</b>	Mr and Mrs Crofts	
<b>Agent</b>	ID Architects (Midlands) Ltd	
<b>Cabinet Member with Lead Responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity	
<b>Accountable Strategic Director</b>	Tim Johnson, Education and Enterprise	
<b>Planning Officer</b>	Name	Mark Elliot
	Tel	01902 55(5648)
	Email	Mark.elliott@wolverhampton.gov.uk

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## 1. Summary Recommendation

1.1 Grant subject to conditions

## 2. Application site

2.1 The site comprises the side garden of White Cottage. It is within the Tettenhall Greens Conservation area.

## 3. Application Details

3.1 It is proposed to erect a four bedroom dormer bungalow, accessed from Stockwell End, a shared private access road, adjacent to the existing access.

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- 3.2 The proposal also includes the removal of four conifer trees to the north of the site and a reduction in height to the Leylandii along the southern boundary. These trees are protected by virtue of their location within a conservation area.

**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 Eleven letters have been received. Eight object on the following grounds:
- Detracts from character of the Conservation Area
  - Loss of privacy
  - Adverse impact on outlook
  - Highway safety
  - Sets a precedent for backland development

- 6.2 The other three letters declared no objection to the proposals.

**7. Internal Consultees**

- 7.1 Environmental Health – No objection
- 7.2 Transportation – No objection

**8. Legal Implications**

- 8.1 When an application is situated in or affects the setting of a Conservation Area by virtue of Section 72 and Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any building considering the application and exercising their powers in

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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 Section 73 of the Act. KR/22012014/J

**9. Appraisal**

9.1 The key issues are;

- Character and appearance of conservation area
- Neighbour amenity
- Highway safety
- Trees

9.2 Character and appearance

The immediate area is residential with a mixture of properties varying in scale and appearance. The White Cottage is set on comparatively wide plot of land. The principle of erecting a single dwellinghouse to the side of this property would not appear out character with the form and layout of buildings in the area.

9.3 The design and appearance of the dormer bungalow would preserve and enhance the character and appearance of the conservation area.

9.4 Neighbour amenity

An objection has been made to the position of the proposed first floor windows stating that these would result in a loss of privacy to the occupiers of 4 Danescourt Road. The dormer bungalow would be set at a slight angle to 4 Danescourt Road so that the window to window relationship would not result in an unacceptable loss of privacy.

9.5 Highway safety

The proposal would provide adequate off street parking and would not have an adverse impact on the highway network.

**10. Conclusion**

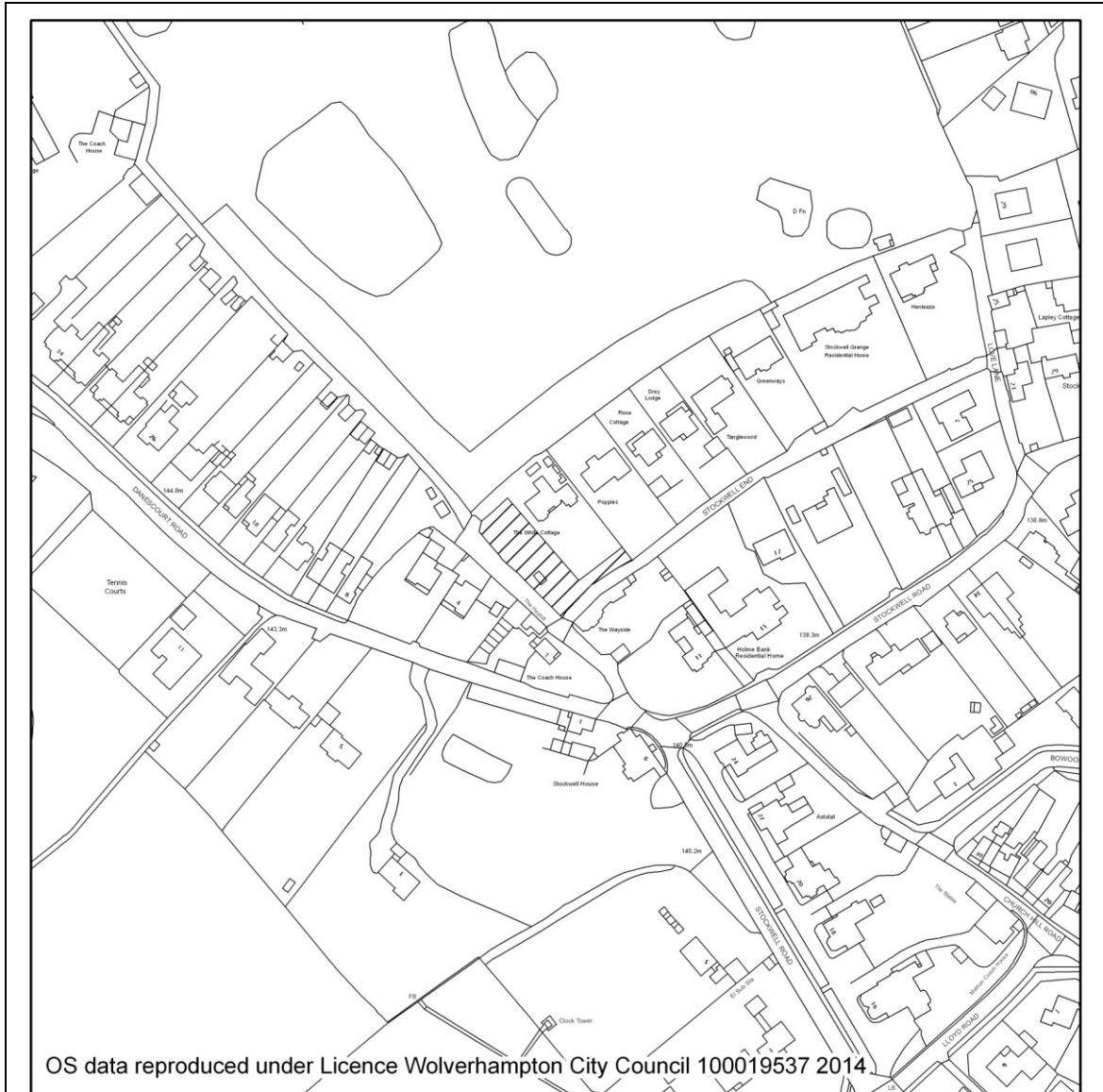
10.1 The proposal would be acceptable and in accordance with the development plan.

**11. Detailed Recommendation**

11.1 That planning application 13/01240/FUL be granted, subject to any appropriate conditions including:

- Materials
- Levels
- Landscaping
- Surface water disposal

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# Planning Committee

## 4 February 2014

<b>Planning application no.</b>	14/00017/TR
<b>Site</b>	Tettenhall College, Wood Road, Tettenhall
<b>Proposal</b>	Woodland Management: Application to fell 30 trees covered by Tree Preservation Order
<b>Ward</b>	Tettenhall Wightwick
<b>Applicant</b>	Mr Stephen Williams
<b>Agent</b>	
<b>Cabinet Member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Accountable director</b>	Tim Johnson, Education and Enterprise
<b>Planning officer</b>	Name Alison McCormick Tel 01902 55640 Email <a href="mailto:alison.mccormick@wolverhampton.gov.uk">alison.mccormick@wolverhampton.gov.uk</a>

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### 1. Summary Recommendation

#### 1.1 Grant subject to conditions.

## **2. Application site**

2.1 The grounds of Tettenhall College are extensive, comprising several buildings, sports fields/tennis courts, and are bounded to the north by Wood Road, to the south by Henwood Road. Trees border both these roads; a broad swathe of woodland runs across the site and is part of the Tettenhall Ridge (Ancient Woodland). The site is situated within the Tettenhall Greens Conservation Area; the woodland and many individual trees are covered by Preservation Order (Tettenhall Urban District No. 2 Tree Preservation Order No.2: 1959). The site is also designated as a SLINC (site of importance for nature conservation).

## **3. Background**

3.1 Tettenhall College instructed Wolverhampton Tree Services to carry out a review of the condition of trees of their trees, for health and safety reasons. The survey was conducted using the VTA (Visual Tree Assessment) method of inspection. VTA is a recognised system of hazard-risk analysis, and identifies trees most likely to fail structurally. The survey was undertaken during October and November 2012, and produced a schedule of tree works. For survey purposes the grounds were subdivided into six areas and only the trees with physical defects/ those requiring work were tagged. The order of priority of works recommended is directly related to the hazard rating, the combination of severity of a tree's defects and frequency of use of the vicinity. The resultant categories were, as at November 2012:

- Management works required with immediate effect, mainly adjacent to Wood Road and Henwood Road
- Works required within twelve months, adjacent to buildings/sports fields/tennis courts
- Works recommended within ten years.

3.2 The Council's Tree Officer visited the site early in 2013, and advised that the tree felling recommended immediately was exempt from regulations, on the grounds that the trees were dead/ dangerous. These works have been completed.

3.3 Removal of further dead/dangerous trees required within twelve months has also been carried out under the above exemption.

3.4 Removal of dead trees recommended over the longer term is ongoing.

3.5 Removal of deadwood is also exempt from regulations, but falls within the works recommended over the longer term and is currently outstanding.

3.6 As advised by the Tree Officer, Tettenhall College submitted an application reference: 13/00636/TR, for items of tree pruning works required in the longer term. This application was granted consent on 3 July 2013. These works are outstanding.



#### **4.0 Current application:**

4.1 The application seeks permission for the felling of thirty trees, which were recommended for removal on the grounds that they are in a defective condition, with limited life-spans.

#### **5. Publicity**

5.1 No representations received.

#### **6.0 External consultees**

6.1 Forestry Commission – an application for a Felling Licence has been submitted, as part of which compensatory planting of native tree species is proposed.

#### **7.0 Legal Implications**

7.1 As stated in paragraph 2.1 the trees the subject of the application are protected by the Tettenhall Urban District No.2 1959 which was made on 23 March 1960.

7.2 S197 to S214 of the Town and Country Planning Act 1990 provide the statutory framework for dealing with Trees. Anyone proposing to cut down or carry out work on a tree(s) covered by a Tree Preservation Order may make an application for consent in accordance with Regulation 16 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012

7.3 In addition, “Tree Preservation Orders: A Guide to Good Practice” and subsequent addendums provide guidance on Tree Preservation Orders and applications for consent under the 1990 Act. The guidance has the same status as a planning circular and thus should be afforded appropriate weight. The guidance states (as detailed in Chapter 6) that Local Planning Authorities in considering applications for consent should assess the amenity value of the tree and the likely impact of the proposal on the amenity of the area. Having regard to these matters they should then determine whether or not the proposal is justified having regard to reasons put forward to support the proposal.

7.4 In assessing amenity local planning authorities are advised to approach this in a structured and consistent way and suggest three criteria should be considered namely  
(1) Visibility,  
(2) Individual Impact and  
(3) Wider Impact. The appraisal of the proposed loss of the trees is contained in paragraph 8 below.

7.5 In determining applications for consent in this case regard does not have to be had to the provisions of the development plan.

7.6 Members are also advised to consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions as this could give rise to a liability to pay compensation. In determining this application members may refuse consent, grant consent unconditionally or grant consent subject to such conditions as they think fit. Any conditions imposed must be clear and precise. In the event an application is refused

clear reasons for refusal must be given and these should address each of the applicants reasons for making the application along with details of the applicants right of appeal and the applicants right to compensation for loss or damage suffered as a result of the Local Planning Authority's decision.

- 7.7 Notwithstanding that the trees are covered by the 1959 Tree Preservation Order notice of the intention to fell the trees would need to be given to the Council in any event as they are situated within the Tettenhall Greens Conservation Area in accordance with S211 of the Town and Country Planning Act 1990. [KR/24012014/H]

## **8.0 Appraisal**

- 8.1 The loss of the thirty trees is acceptable as part of effective long term management of this important area of woodland. The trees concerned due to age, ill health, poor form, or damage, are unsustainable and their removal would represent good management. Their loss would have a relatively minor impact upon public amenity, due to their distribution over a wide area. The felling of these trees would be mitigated by replacement planting, which would enhance the quality of the woodland in terms of its structure, species diversity, ecological value and long term sustainability

## **9.0 Conclusion**

- 9.1 The felling of the trees and subsequent replacement tree planting is in accordance with good arboricultural and forestry practice.

## **10.0 Detailed Recommendation**

- 10.1 That planning application 14/00017/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 native species (to the approval of the Forestry Commission), and be maintained for a period of 10 years after planting.



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