



# Planning Committee

4 March 2014

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| <b>Planning application no.</b>                | 13/01125/FUL  |
| <b>Site</b>                                    | Land at corner of Victoria Square and Railway Drive   |
| <b>Proposal</b>                                | A mixed use office development, with retail and leisure uses at ground floor and three storeys of office space above. |
| <b>Ward</b>                                    | St Peters   |
| <b>Applicant</b>                               | Neptune Projects Ltd  |
| <b>Agent</b>                                   | Richard Gee   |
| <b>Cabinet Member with lead responsibility</b> | Councillor Peter Bilson<br>Economic Regeneration and Prosperity   |
| <b>Accountable director</b>                    | Tim Johnson, Education and Enterprise   |
| <b>Planning officer</b>                        | Name      Andy Carter<br>Tel        01902 551132<br>Email     andy.carter@wolverhampton.gov.uk                        |

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## 1. Summary Recommendation

1.1 Grant subject to conditions

## 2. Application site

2.1 The site is located at the junction of Victoria Square and Railway Drive and comprises highway related land that was most recently used as a contractor's compound during the construction of the new bus station (Interchange).

2.2 The site is at a prominent position within the city centre, and is bounded by the bus station, ring road, Britannia Hotel, and the surface car park in front of the Chubb building.

## 3. Application Details

3.1 The proposals comprise a three storey office building, with a mixture of town centre uses at ground floor. The ground floor would be split into between four and eight units depending on operator requirements. One large unit (approx. 642 sqm) is intended for a family public house/restaurant (A4), whilst the remaining smaller units are intended for a mixture of shops (A1), financial and professional services (A2), restaurant and cafes (A3) and takeaways (A5).

- 3.2 A number of commercial units would front onto the pedestrian walkway which links the Queens building with the railway station, thereby creating an arcade of shops opposite the existing Sainsbury's Local store. The largest unit would have a number of active frontages. It would utilise the public realm space within Victoria Square for outdoor tables and chairs. Further units and the entrance to the office space would be accessed from Railway Drive.
- 3.3 The lobby to the office space would comprise the lifts and stair access point, and concierge desk. The three floors above would provide a total of 3,382sqm (approx.) of B1(a) office space. Floors one and two would be laid out roughly in an 'L' shape with 1256sqm on each floor. Floor three would be slightly smaller (910sqm) in size owing to the step down on the elevation closest to the Queens building.
- 3.4 The applicant proposes a BREEAM (Building Research Establishment Environmental Assessment Methodology) 'Excellent' rated building. Although not a planning requirement this would represent a highly sustainable office 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 Wolverhampton City Centre Area Action Plan (emerging)

#### **5. Environmental Impact Assessment Regulations**

- 5.1 A "screening opinion" was issued by the Local Planning Authority on 19 September 2014 advising that a formal Environmental Impact Assessment was not required.

#### **6. Publicity**

- 6.1 No representations have been received.

#### **7. Consultees**

- 7.1 Transportation, Environmental Services, English Heritage, Canals and Rivers Trust – All no objection
- 7.2 Centro – Comments awaited

#### **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 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
- 8.2 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.  
[LD/18022014/A]

## 9. Appraisal

- 9.1 The key issues are:-
- Principle of development
  - Retail tests
  - Design and Heritage
  - Transportation
  - Renewable Energy
- Principle of development
- 9.2 The site is in a prominent and strategic location alongside the Interchange, and is within a short walking distance of the railway station. Although not specifically identified for development within the UDP the site has been promoted for redevelopment since the new bus station project was considered, and forms part of a comprehensive Masterplan for the area. The Interchange has been identified as a development priority in Appendix 2 of the Black Country Core Strategy and the City Centre Prospectus (July 2012), and as a development opportunity in the Interchange & Commercial Gateway character area of the emerging City Centre Area Action Plan
- 9.3 Offices in this location are acceptable in principle (UDP policy SH4) and would be sustainable given the proximity of transport links, the city centre, and other commercial uses including the Chubb building.
- 9.4 The re-use of the brownfield site would constitute sustainable development, be complementary to the other uses in this city centre location, and assist in the regeneration of the Interchange Gateway area. The proposals are in accordance with policy CC2 and SH4 of the UDP and policy CEN3 and CEN4 of the BCCS.
- Retail tests
- 9.5 The site occupies an edge-of-centre location in retail terms (policy SH4). The ground floor uses would be a combination of retail and other town centre type

uses such as restaurants and cafes. These uses would be ancillary to the main destination use which is B1(a) office provision.

9.6 As the proposed ground floor uses would be a complementary part of the Interchange scheme to specifically serve the demand generated from the public transport development, it is not appropriate to apply the sequential test.

9.7 The scale of the ground floor units would not be sufficient to cause a significant adverse impact on either investment in or the vitality and viability of Wolverhampton City Centre, particularly because of their complementary nature and because it is proposed to impose a condition restricting A1 retail use to a maximum of 604 sqm.

#### Design and Heritage

9.8 The site has three principle sides, each visible and accessible from the public realm. The building would have active frontages on the sides facing Railway Drive and the pedestrian walkway. The result is that there are three elements which together create a cohesive single building. The first element is four storey facing Railway Drive and consists of a part glazed, part clay clad elevation which concludes in a sweep curve meeting the junction with Queens Square. This seeks to address the four storey Britannia Hotel on the opposite site of the junction, and also to respect the listed Prince Albert Public House (four storey).

9.9 The second element is three storey, facing Pipers Row, and creates a visual link by being of relatively equal height and mass to the bus station and the listed Queens building. The materials in the second element would mimic those of the bus station, to achieve a design consistency. The third and final element is single storey and addresses the commercial colonnade along the pedestrian walkway leading to the footbridge. Clear glazed facades in this frontage would maximise the commercial visibility of the retail space on this elevation.

9.10 The apex of the site fronts onto the ring road, and is four storeys in height. The internal layout of the building dictates that a second stair access is located on this elevation. The stair core has been offset within the elevation to maximise views out of the building at this elevated position, and show activity within the building. The visual prominence of this elevation presents an arrival to the commercial centre of the city for those approaching from the Railway Station.

9.11 The design of the building is modern, drawing on the recently completed Interchange and footbridge. However the scale, mass and form of the proposals respect and enhance the setting of the listed Queens building, and enhance the context of the City Centre Conservation Area. The proposals are in accordance with UDP design policies D6, D7, D8, D9 and UDP heritage policies HE3, HE4 & HE13.

#### Transportation

- 9.12 Part of the new pedestrian walkway (alongside the ring road) would be utilised to deliver ten cycle spaces. This is below standard requirements for a building of this size, but given the site's location next to the bus station and a short walk to the railway station the number of cycle spaces are sufficient. Alternative cycle parking exists alongside the Queens building.
- 9.13 Owing to the highly accessible location no vehicle parking is provided within the development. Servicing would be provided from the existing vehicle bay on Pipers Row, currently utilised by Sainsburys, this solution is judged to be acceptable. The proposals are sustainable in transport terms and in accordance with AM12 of the UDP.

#### Renewable Energy

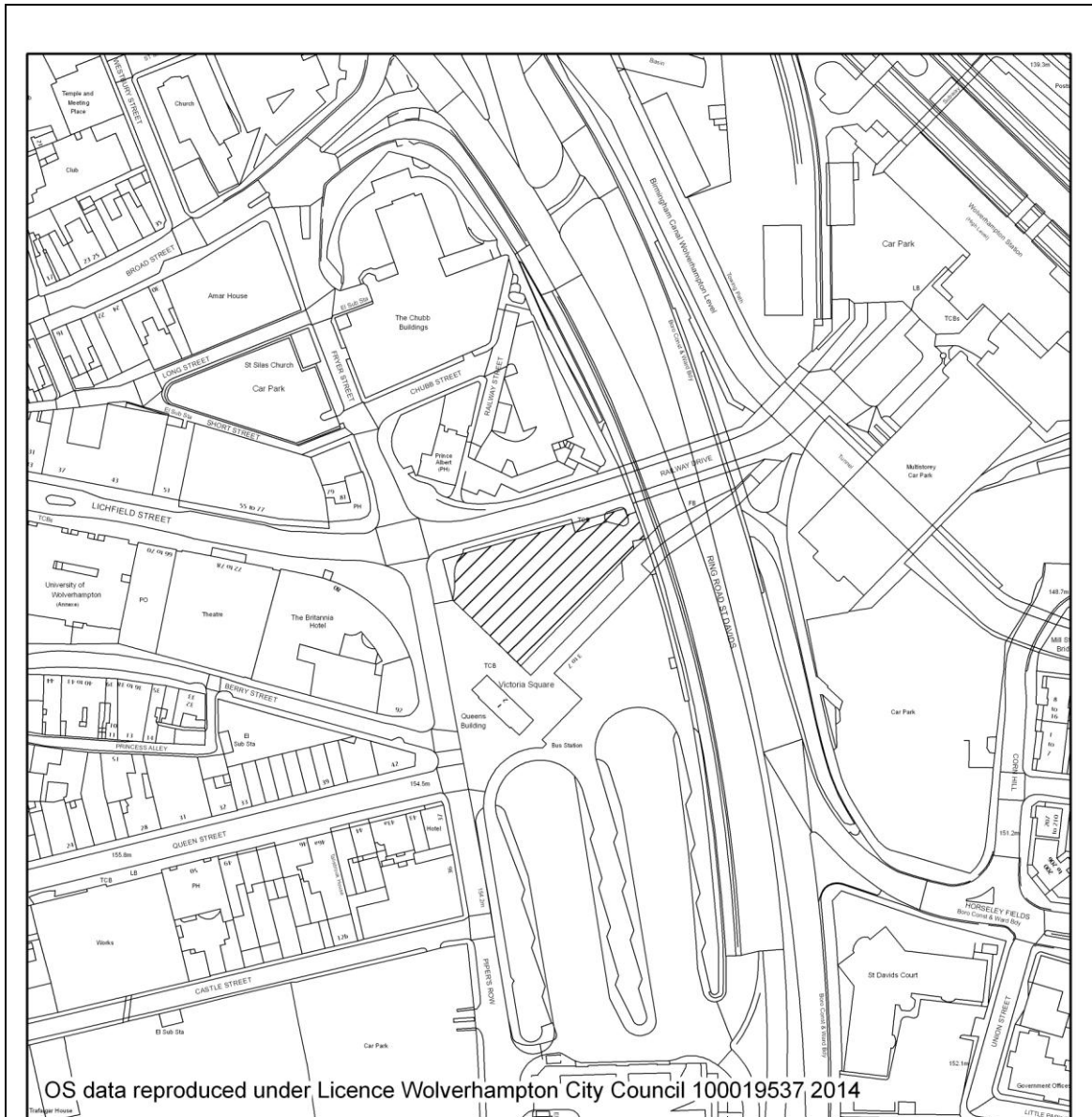
- 9.14 The applicants are proposing air source heat pumps for space heating of the offices. This is estimated to provide 2% of the developments residual energy requirements. Although this is short of the 10% requirement set out in policy the building is proposed to be rated BREEAM 'Excellent' which would make it one of the most sustainable structures within Wolverhampton. In this context the 10% renewable energy requirement set out in policy ENV7 can be relaxed.

### **10. Conclusion**

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

### **11. Detailed Recommendation**

- 11.1 That planning application 12/01225/FUL be granted, subject to any appropriate conditions including:
- Materials to be submitted prior to above ground works
  - External landscaping details to be submitted prior to above ground works
  - Floorspace restriction setting out the maximum areas for each use class (A1/A2/A3/A4 and A5)
  - Details of shop fronts prior to occupation
  - Details of internal floor layouts prior to occupation
  - Noise levels for plant and ventilation
  - Construction Method Statement prior to commencement of development
  - Hours of construction: 0800 to 1800 hrs Mondays to Fridays, and 0800 to 1300 hrs Saturdays, and at no time on Sundays or Bank and Public Holidays
  - Covered cycle parking details prior to above ground works
  - Targeted recruitment and training



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