

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

Venue Online Meeting

Membership

Chair Cllr Keith Inston (Lab)
Vice-chair Cllr Anwen Muston (Lab)

Labour

Cllr Alan Butt
Cllr Celia Hibbert
Cllr Clare Simm
Cllr Mak Singh
Cllr Martin Waite
Cllr Olivia Birch
Cllr Roger Lawrence
Cllr Phil Page

Conservative

Cllr Jonathan Yardley
Cllr Wendy Thompson

Quorum for this meeting is four Councillors.

Information for the Public

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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

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 3 - 8)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 20/01170/FUL - 1 Waite Road, Wolverhampton (Pages 9 - 14)
[To consider the planning application] |
| 6 | 20/00467/FUL - Land Adjacent 118 Woodthorne Road South, Wolverhampton
(Pages 15 - 20)
[To consider the planning application] |
| 7 | 20/00786/RC - Dunton Environmental Limited, Union Mill Street, Horseley Fields, Wolverhampton, WV1 3DW (Pages 21 - 28)
[To consider the planning application] |
| 8 | 20/00673/FUL - Site of Former Bilston Tennis Courts, Villiers Avenue / Harper Road, Wolverhampton (Pages 29 - 34)
[To consider the planning application] |
| 9 | 20/01421/FUL - St Edmunds Catholic Academy, Compton Park, Wolverhampton (Pages 35 - 40)
[To consider the planning application] |
| 10 | 20/01541/TR - Land South Of Junction With Bankfield Road, Nettlefolds Way, Bilston, Wolverhampton (Pages 41 - 44)
[To consider the planning application] |

Attendance

Councillors

Cllr Keith Inston (Chair)
Cllr Anwen Muston (Vice-Chair)
Cllr Alan Butt
Cllr Clare Simm
Cllr Mak Singh
Cllr Jonathan Yardley
Cllr Martin Waite
Cllr Roger Lawrence
Cllr Phil Page
Cllr Wendy Thompson

Employees

Stephen Alexander	Head of City Planning
Martyn Gregory	Section Leader
Laleeta Butoy	Assistant Planner
James Dunn	Tree Officer
Vijay Kaul	Senior Planning Officer
Tim Philpot	Professional Lead - Transport Strategy
Donna Cope	Democratic Services Officer
Stuart Evans	Solicitor

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies for absence**

Apologies for absence were received from Councillor Olivia Birch.

2 **Declarations of interest**

There were no declarations of interest.

3 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 15 September 2020 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **20/00449/FUL - 22 Elm Avenue, Wolverhampton, WV14 6AS**

Planning application 20/00449/FUL had been withdrawn from Planning Committee so therefore was not considered.

6 **20/00832/FUL - Warehouse Buildings Adjacent to S J Dixon And Son Limited**

The Committee considered a report regarding 20/00832/FUL - Demolition of existing warehouse buildings and construction of Costa Coffee Drive-Through (use class A1 / A3) and retail unit (use class A1) with associated parking, access and landscaping.

Vijay Kaul, Senior Planning Officer, reported the following updates since the agenda had been published:

1. An email had been received by the Applicant from Councillor Zee Russell, Ward Member for Ettingshall, stating that she supported the scheme, however it may be worthwhile asking Historical England and the Conservation Team what measures they required in order to meet their approval.
2. The Applicant had revised the opening hours to start at 6.00am, with closing time of 8.00pm for Greggs and 10.00pm for Costa. Environmental Health still advised later opening of 7.00am and noise barrier.
3. A full application and Listed Building Consent had now been submitted for the Royal Hospital site.

Mr Tim Dixon addressed the Committee and spoke in support of the application.

The Senior Planning Officer responded to the statements made and advised that:

1. The statutory test for assessing applications that affected the setting of Listed Buildings, Conservation Areas and the Development Plan Policy were set out in the report.
2. Historic England, who are the Government's expert adviser on England's Heritage and have a statutory role in the planning system had stated that the development would cause harm and that the harm was unjustified.
3. Objections had also been raised by the Victorian Society, the Ancient Monuments Society and All Saints Action Network (ASAN).
4. The Local Planning Authority (LPA) had robustly assessed the design and heritage impact of the development.
5. The proposal would result in harm to the character and appearance of the Cleveland Road Conservation Area, and harm to the setting of the Listed Buildings.

A Member of the Committee welcomed the development however most felt that the proposals were unacceptable.

Councillor Muston moved the recommendations and Councillor Page seconded the recommendations.

Resolved:

That planning application 20/00832/FUL be refused on the following ground:

1. The proposal involves the demolition of warehouse buildings which contribute to the significance, character and appearance of Cleveland Road Conservation Area through their layout, scale, form and materials. The proposed scheme fails to make a positive contribution to local character and distinctiveness, as it involves a typical drive through, single storey built form within an area of surface car parking which does not reflect the pattern of built form, design quality or scale of development that would be required to complement the existing context, or the emerging regeneration of the Royal Hospital development area. The proposal would result in harm to the character and appearance of the Cleveland Road Conservation Area, and harm to the setting of the Grade II Listed Royal Hospital and Locally Listed Dixons Building. The proposal conflicts with saved Unitary Development Plan Policies HE1, HE4, HE5, HE6, HE17, HE19, D4, D5, D6, D7, D8, D9, Black Country Core Strategy Policies CSP4, ENV2 and ENV3, City Centre Area Action Plan Policies CC8 and CC9, and relevant policies contained within the National Planning Policy Framework. The public benefits are insufficient to outweigh the less than substantial harm to the setting of to Cleveland Road Conservation Area, the Grade II Listed Royal Hospital and adjacent locally listed building.

7 20/00006/TPO - Oxley Park Golf Club, Stafford Road, Wolverhampton, WV10 6DE

The Committee considered a report regarding 20/00006/TPO - Confirmation Report for The Wolverhampton City Council (Oxley Park Golf Club No.1) Tree Preservation Order 2020.

Mr Piotr Sibilo addressed the Committee and spoke in opposition to the application.

Councillor Claire Simm stated that there were issues with the maintenance of trees, hedges and other greenery around the boundary of the golf course and asked whether the Council had any authority to enforce this.

James Dunn, Tree Officer, responded.

Councillor Page moved the recommendations and Councillor Lawrence seconded the recommendations.

Resolved:

That planning application 20/00006/TPO be confirmed without amendment.

8 **20/00002/TPO - Oxley Court, Oxley Moor Road, Wolverhampton, WV10 6TZ**

The Committee considered a report regarding 20/00002/TPO - Confirmation Report for The Wolverhampton City Council (Oxley Court No.3) Tree Preservation Order 2020.

Councillor Inston moved the recommendations and Councillor Page seconded the recommendations.

Resolved:

That planning application 20/00002/TPO be confirmed without amendment.

9 **20/00962/FUL - Texaco, Blakenhall Service Station, 327 Dudley Road, Wolverhampton, WV2 3JY**

The Committee considered a report regarding 20/00962/FUL - New hand car wash and canopy, extension to existing shop for use as a café and installation of 1No. storage cabin.

Laleeta Batoy, Assistant Planner, reported that since the agenda had been published, a further objection had been received regarding parking which had already been addressed within the report.

Mrs Doreth Fannel addressed the Committee and spoke in opposition to the application.

Laleeta Batoy, Assistant Planner, responded to the statements made and explained that the proposals were acceptable.

Councillor Inston, Chairman of the Planning Committee, stated that he too had concerns regarding the obstructed fire exit at the mosque. He assured Members that Council Officers would discuss the issue further with the Mosque and Applicant should the application be granted.

Councillor Page moved the recommendations and Councillor Butt seconded the recommendations.

Resolved:

That planning application 20/00962/FUL be granted subject to the following conditions:

- The parking facilities shall be provided in accordance with the details shown in the approved plans and thereafter be kept available for the parking of vehicles in connection with the use hereby approved at all times.
- The bin stores shall be provided in accordance with the details shown in the approved plans and thereafter retained.
- During the construction phase of this development, working hours and commercial vehicle movements to or from the site during construction shall be restricted to 0800 to 1800 hrs Mondays to Fridays and 0800 to 1300 hrs Saturdays, and at no time on Sundays or Bank and Public Holidays.

- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, replacing or re-enacting that Order with or without modification) the ground floor uses hereby permitted shall be for a use falling within Use Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use.
- No raw materials, finished or unfinished products or crates, materials, waste, refuse or any other item shall be stacked or stored outside the development hereby permitted.
- Operational hours and commercial vehicle movements to or from the site shall be restricted to 08.00 to 20.00 Mondays to Saturdays, 10.00 to 16.00 Sundays, Bank and public holidays.
- Any external lighting scheme (to include design, siting, direction and avoidance of glare and spillage) shall be submitted to and approved in writing by the local planning authority.

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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/01170/FUL	
Site	1 Waite Road	
Proposal	Change of use from a private dwelling house into a children's home for two children	
Ward	Bilston North;	
Applicant	Cove Care Limited	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01902 555641
	Email	tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant

2.0 Application site

2.1 The application site consists of a detached house and garden, located in a street of similar properties. The house has an enclosed private rear garden, and a parking area to the front of the property for three cars. Offsite parking is also available along Waite Road.

3.0 Application details

- 3.1 No proposed alterations or extensions are proposed, one of the first-floor bedrooms will be used as an office. The application is to use the property as a home for up to two vulnerable children. They may require care because their parents are incapacitated, or for emotional, social or mental health issues or because they require safeguarding.
- 3.2 The children would live as a single supported unit, with a care manager on the premises at all times. The children would be supported by fully trained and qualified care workers, working shifts throughout the day and night on a one to one basis.

3.3 The children in care would attend mainstream schools or colleges during normal school term times. At all other times, the children would be resident within the home. Visitors to the house will continue to be by appointment, in the main these would be social workers.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

5.0 Publicity

5.1 Six objections have been received following consultation. Objections received are as follows:

- Increase in traffic
- Block drives due to increased parking in the street
- Insufficient parking
- A business use would be out of character and not in keeping with the residential area
- Set a precedent for other business uses in the area
- Wrong environment for this level of care
- Disturbance to neighbours, some of which are vulnerable.
- Cove Care Facilities are normally in isolated areas, therefore inappropriate location for this specific use
- Disturbance from Building Works
- Overdevelopment of the site – property too small to occupy this type of use
- High turnover of occupants.
- Anxiety to those living nearby
- Confliction between the occupants and children staying or visiting neighbouring properties
- Compromise Security/Fear of Crime
- Loss of a Three Bedroomed dwelling
- Loss of Privacy
- Pollution
- Anti-Social Behaviour

6.0 Consultees

6.1 **Highway/Transportation** – No Objections

6.2 **Police** – No objections

6.3 **Children Services** – No Response – report verbally at committee

7.0 Legal implications

- 7.1 The legal implications arising from this report are set out below.
- 7.2 It is sometimes argued that a change of use to a small care home is not material and that planning permission is not required on the basis that the change is not material. In this case the applicant has submitted an application for full planning permission which is being determined on the basis that the children will be supported through a staff rota, there is no member of staff living on site and the balance of probability is that a material change of use requiring planning permission has occurred. KR/16122020/A

8.0 Covid Implications

- 8.1 There are no Covid implications arising from the recommendations of this report.

9.0 Appraisal

- 9.1 The application site is currently a typical residential dwelling, within a predominantly residential area. The proposal is to provide a family setting, with a comparable layout to the home, and a structured environment such as attending school/activities similar to any other family. On balance, the proposed use would not be that dissimilar to the current residential dwelling, and would, therefore, not be significantly out of character with this residential street scene or the surrounding area. There would be no external signs of the use. The main reason for requiring consent is the staffing shifts
- 9.2 The size of the property and its external space are sufficient for the proposed use, given that the home is for two children. Three parking spaces are provided which are sufficient to support the use, resulting in no highway or pedestrian safety issues.
- 9.3 Staff would work in a shift pattern to ensure an appropriate level of care. with arranged visits from social workers etc. The activity associated with this process/management, would not be considerably different to that of a residential dwelling. As parking is on site disturbance should be kept to a minimum.
- 9.4 Neighbours have raised concerns with respect to anti-social behaviour, security and a fear of crime. However, children residing here would be under 24hour care with a minimum of 1:1 staff to child ratio, and the staff would be trained and qualified in line with OFSTED requirements. The police have assessed the Layout//Management and have no objections.
- 9.5 Neighbours have raised concern with respect to residential amenity such as privacy, and disturbance from the occupants. This is currently a residential dwelling, and the only difference would be converting one of the rooms to the first floor into an office, as there are no extensions/development proposed. The property would continue to appear and operate similar to a family home, albeit, providing a specific level of care to its occupants. There is no significant difference to the level of exposure to noise, or outlook across neighbouring properties, to what currently exists.

10.0 Conclusion

10.1 The proposed use is concluded to be acceptable, providing specific care to vulnerable children within a family home environment. The 24-hour care provided to the occupants would ensure their safety and protect the amenity of the local residents.

11.0 Detailed recommendation

11.1 Grant



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/00467/FUL	
Site	Land Adjacent 118 Woodthorne Road South	
Proposal	Erection of one, three-bedroom dormer bungalow	
Ward	Tettenhall Regis;	
Applicant	Santokh Gill	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Environment	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Jenny Davies	Section Leader (Planning)
	Tel	07976883122
	Email	jenny.davies@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant

2.0 Application site

- 2.1 The site is small and triangular in shape and is situated at the most southern end of Woodthorne Road South. The level of the land is relatively flat and the site is currently enclosed with a 1.8m high concrete post and timber panel fence.
- 2.2 There are two trees remaining on the site in the southern corner and these trees are covered by a tree preservation order 06/00128/TPO.
- 2.3 The site is bounded to the north by 118 Woodthorne Road South a detached property set back from the road and to the west is 119 Yew Tree Lane which is a bungalow and 119A Yew Tree Lane which is a two-storey house.
- 2.4 Historically, the land formed part of 119 Yew Tree Lane, a large bungalow located in a large plot on the corner of Yew Tree Lane and Woodthorne Road South. The bungalow was demolished and replaced with a new house and bungalow. The land currently being considered for development formed part of the rear garden for the new detached house.

3.0 Application details

- 3.1 The proposal involves a three-bedroom dormer bungalow which would be positioned centrally within the plot. The dwelling has a bedroom and study in the roof space with four sky lights on the rear and three skylights on the front.
- 3.2 The latest amendment has realigned the dwelling with the adjacent house 118 Woodthorne Road South with a distance of just over 3m to the road and the overall footprint of the new dwelling has decreased by over 30 square metres. The overall footprint of the building is 72 square metres and the height to eaves is 2.58m and overall height of 5.5m.
- 3.4 The closest part of the new building would be 5m from the rear boundary with 119 Yew Tree Lane. The proposed dwelling would be situated 1.4m from the boundary of 118 Woodthorne Road South, which is located to the north of the application site. There are no windows proposed on this elevation.
- 3.5 The bungalow would be constructed of brick with a tiled roof.
- 3.6 Parking for three vehicles is proposed within the curtilage of the house with the creation of a double width dropped kerb.
- 3.7 Two existing trees (a conifer and Robinia) located in the southern corner of the site will be retained.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF)
The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
Tettenhall Neighbourhood Plan
Supplementary Planning Guidance SPG3 – Residential Development

5.0 Publicity

- 5.1 Three letters of objection have been received.
- 5.2 One letter of objection was received from the occupiers of 118 Woodthorne Road South who object on the grounds that the development is out-of-keeping with the other properties in the street, impact on trees and road safety concerns as a result of congestion from school traffic. There are also issues raised over land ownership which is not a planning consideration. Mr Morris has requested to speak to planning committee based on the amended plans.
- 5.3 One objection is from the occupiers of 119 Yew Tree Lane, a bungalow which adjoins the site at the rear and considers that the building is too close to the back fence and that

there will be overlooking as a result of the skylights in the roof space. A third objection is from the occupier of 117 Yew Tree Lane located to the north-west of the application site who is concerned about overlooking and loss of privacy.

6.0 Consultees

6.1 Transport – no objections

6.2 Trees – no objections subject to a condition requiring tree protection measures

7.0 Legal implications

7.1 There are no legal implications arising from the recommendations of this report.
KR/16122020/B

8.0 Covid Implications

8.1 There are no Covid implications arising from the recommendations of this report.

9.0 Appraisal

9.1 The area surrounding the application site is wholly residential so in principle a new dwelling would not be unacceptable subject to meeting relevant development plan policies

9.2 A dormer bungalow would not be out of place in this location. There are bungalows located on the opposite side of Woodthorne Road South and to the rear of the application site.

9.3 The existing pattern of development on the west side of Woodthorne Road South, which is the context within which this property will be seen, is typified by dwellings of varying size, but what unifies them is they are all set back from the road and are staggered in terms of their relationship to each other, while their positioning is still aligned.

9.4 The proposed dwelling, as amended, now aligns with the side gable of 118 Woodhouse Road South and is now set back from its neighbour by 800mm achieving a distance from the road of over 3m. While this is not as great a distance as other properties to the north, as a result of the limited depth of the site, the set back of the new dwelling behind its neighbour and further set back of the footprint results in a layout which is in-keeping characteristically with the established pattern of development detailed in para. 9.3.

9.5 The development will provide an amenity space of over 200 square metres. Although the shape is irregular, the amount would be in excess of the minimum standards required in SPG3 – Residential Development.

9.6 The closest part of the new building would be 5m from the rear boundary with 119 Yew Tree Lane, which is closer than would normally be accepted. However, the proposed

building is single storey and has demonstrated that although there are sky lights in the roof space, this will not result in overlooking or loss of privacy to the occupiers of 117 and 119 Yew Tree Lane which are both bungalows. A separation distance of 19.5m can be achieved between the two properties which is less than the standard in SPG3 of 22m however, that standard is applied to two-storey houses and in this case, the view from the skylights is limited due to the angle of the roof slope and height within the roof space, so this distance is acceptable.

- 9.7 The proposed dwelling as amended has moved further from the boundary with 118 Woodthorne Road South achieving a distance of 1.4m and it is not considered that there would be any loss of outlook, light or privacy to the neighbour's property.
- 9.8 The development would not result in any harm to established trees within the site or to the Silver Birch on the neighbour's property at 118 Woodthorne Road South subject to a condition requiring tree protection measures.
- 9.9 The proposed design of the house and the materials are acceptable.
- 9.10 A three-bedroom bungalow is expected to generate a need for two off-street parking spaces. However, the development has demonstrated that parking for three vehicles can be safely achieved within the site. There are no highway objections to this proposal.
- 9.11 The preferred boundary treatment would be a brick wall to enclose the side garden space however this would have a detrimental impact on the remaining TPO'd trees within the site so a panel fence as proposed is acceptable. To ensure adequate visibility can be achieved further details of boundary treatment can be conditioned.

10.0 Conclusion

- 10.1 This development in regard to the principle of a dwelling and its impact on the character of the area, parking, separation distance from neighbours, provision of adequate amenity space and distance from trees, is acceptable and in accordance with the development plan.

11.0 Detailed recommendation

- 11.1 That planning application 20/00467/FUL is granted subject to the following conditions: -
- Submission of materials
 - Electric charging point
 - Boundary treatment to demonstrate visibility splays
 - Construction Method Statement
 - Landscaping
 - Tree Protection measures



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/00786/RC
Site	Dunton Environmental Limited, (Formerly the site of Edward Vaughan Stamping Works), Union Mill Street, Horseley Fields, Wolverhampton, WV1 3DW
Proposal	Proposed variation of condition 3 of planning permission 15/00305/FUL (waste treatment hub and site remediation) to allow for the continued use of the site as a waste treatment hub and the carrying out of site remediation works, until 18.09.2021.
Ward	Heath Town;
Applicant	Dunton Environmental Limited Soterion House Northgate Aldridge Walsall WS9 8TH
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy
Accountable Director	Richard Lawrence, Director of Regeneration
Originating service	Planning
Accountable employee	Phillip Walker Senior Planning Officer Tel 07970316918 Email phillip.walker@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Background

2.1 Planning permission 15/00305/FUL for a waste treatment hub and site remediation, was granted on 18 May 2015. This was a temporary permission which required the use to cease and any associated plant, material and equipment to be permanently removed not later than 18 September 2020. It also required that a remediation strategy, to make the site suitable for residential development, be implemented by 18 June 2020.

- 2.2 The time specified by the original planning permission for using the site as a waste treatment hub and remediation works, has now lapsed. However, the site continues to be used as a waste treatment hub, receiving contaminated soil waste from other development sites, which is cleaned and the recovered material used as a product on other development sites. Although some site remediation works have been carried out, the site has not been fully remediated, such that it is suitable for residential development.
- 2.3 Planning and listed building consent applications (20/01346/FUL and 20/01324/LBC) were received in November, for the residential redevelopment of land at Union Mill and Horseley Fields, including the application site. Their determination is pending.

3.0 Application site

- 3.1 This is a Council owned site, that is leased to the applicant.
- 3.2 The application site comprises the former Edward Vaughan Stamping Works (now demolished) and is currently being used by Dunton Environmental Limited as a waste treatment hub. It is 1.33ha in area, and is located less than a mile east of Wolverhampton City Centre in an industrial area with some residential nearby. The site has frontages onto Horseley Fields, Union Mill Street and the Birmingham Canal – Wolverhampton Level. Part of the site is within the Union Mill Conservation Area and is opposite the Bilston Canal Corridor Conservation Area to the north. Listed buildings abut the northern edge of the site.

4.0 Application details

- 4.1 This planning application seeks to vary condition 3 of planning permission 15/00305/FUL to allow for the waste treatment hub and site remediation works to continue to 18 September 2021.
- 4.2 The applicant accepts that condition 4 will also need to be varied to enable remediation works to be completed by 18 September 2021. Other conditions relating to archaeological works, hours of operation, noise, landscaping, and the use will also need to be applied. Some of the existing conditions imposed on the earlier permission will be re-imposed.
- 4.3 The applicant states that the viability of delivering the final remediation of the site was adversely impacted by the closure of the waste treatment hub for a 12 month period in 2017 and 2018. They say a further temporary permission is therefore necessary to allow for the remediation to be viably carried out.

5.0 Relevant policy documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

5.3 Wolverhampton City Centre Area Action Plan (adopted September 2016)

6.0 Publicity

- 6.1 Objections received from six objectors. Comments summarised as follows:
- The waste treatment hub is receiving substantial amounts of hazardous waste;
 - The project is a Nationally Significant Infrastructure Project and it falls outside the jurisdiction of the local planning authority to determine;
 - The original 2015 consent was not compliant with the Planning Act 2008;
 - This application is not within the jurisdiction of the Council and requires a Development Consent Order through the Planning Inspectorate;
 - If permission is granted, conditions should apply to restrict the maximum quantity of hazardous waste received to no more than 29,999 tonnes per annum; and that the amount of imported soil to the facility must be reported to the local planning authority on a quarterly basis including the amounts of hazardous and non-hazardous waste, and published;
 - The soil arrives from significant distances away to the detriment of the environment;
 - The EIA screening opinion letter provided by Kember Loudon Williams Ltd is misleading;
 - The development proposal represents EIA development;
 - Inadequate justification for proposed temporary permission;
 - No remediation of the site has taken place at the site;
 - Air pollution;
 - Traffic congestion/Noise and impact on surrounding resident amenity;

7.0 Consultees

- 7.1 Transportation and Environmental Services – No objection. Some remediation works have taken place, but the final site remediation works should be conditioned, and these should be implemented prior to the expiry of any further temporary permission.
- 7.2 Environment Agency – No objections. There is a valid Environmental Permit in place for the works and this is not time-limited, therefore does not need varying to accommodate this proposal. The EA have been engaged with the applicant regarding the proposed eventual Remediation Strategy for this site. This will now have to be revisited and updated; they request the remediation works are conditioned. They also confirm that the developer has not exceeded the thresholds for Infrastructure developments considered to be nationally significant and requiring development consent.
- 7.3 Canal and Rivers Trust – The proposal includes enabling works required as part of the Canalside redevelopment. This is supported by the Trust

8.0 Legal implications

- 8.1 General legal implications are set out at the beginning of the schedule of planning applications. The Council has received external advice confirming the contents of the report are in accordance with relevant legislation and guidance.
[Legal Code: TS/09122020/W]

9.0 Covid Implications

- 9.1 There are no Covid implications arising from the recommendation of this report.

10.0 Appraisal

Scope of Section 73 of the T&CPA

- 10.1 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of applications to develop land without compliance with conditions previously attached'.
- 10.2 When assessing s73 applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal.
- 10.3 The amendments proposed would not result in a development that would be substantially different from that previously permitted and so the application falls within the scope of s73.
- Principle of the Use and the Granting of a Second Temporary Permission
- 10.4 Wolverhampton City Centre Area Action Plan has been adopted since the granting of the original temporary planning permission. The application site is located within the Canalside Quarter. Policy CA4 "Canalside Quarter" identifies this site (Ref. 4m) as suitable for housing-led mixed use development, including leisure and small-scale retail. A further temporary planning permission to allow for the continued use of this site as a waste treatment hub for a temporary period would not in itself be in accordance with Policy CA4. However, because the proposed works, will enable the developer to viably remediate the site, such that it will be suitable for residential development, the proposals are acceptable and accordance with Policy CA4.
- 10.5 Further temporary permissions under s73 can normally be granted permanently or refused if there is clear justification for doing so.
- 10.6 In this case, the applicant says that they require further time to carry out the waste treatment hub use, which will enable them to viably remediate the site for residential purposes. This would be a clear justification for allowing a further temporary planning permission.
- 10.7 Because a planning application and listed building consent application has now been received from developers "Place First", for the comprehensive redevelopment of the site

for housing development, there is now a greater need for the remediation works to be carried out.

- 10.8 It is appropriate to allow for a further temporary permission for the site to be used as a waste treatment hub and site remediation. But the time period for the temporary permission will need to take account of the need for the delivery of the residential development. Planning conditions will need to be applied to require the waste treatment use to cease and any associated plant, material and equipment removed from the site on or before 18.09.2021. To ensure satisfactory time is provided for, to enable the remediation works to be completed within the time period of the temporary permission, these works should commence no later than 18.06.2021. This would be a reasonable timetable for site remediation and has been agreed with the applicant. Place First have been notified and have not objected to this proposal.

Environmental Implications

- 10.9 A section 73 application, is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment (EIA) Regulations. This development proposal is not Schedule 1 or Schedule 2 development as defined by the EIA regulations, It will not have significant environmental impacts. As such the development proposal does not require an Environmental Impact Assessment.
- 10.10 The development proposal is not a nationally significant infrastructure project which would require development consent, since it does not exceed any thresholds as set out in the Planning Act 2008. It is therefore within the jurisdiction of the local planning authority to determine this application.

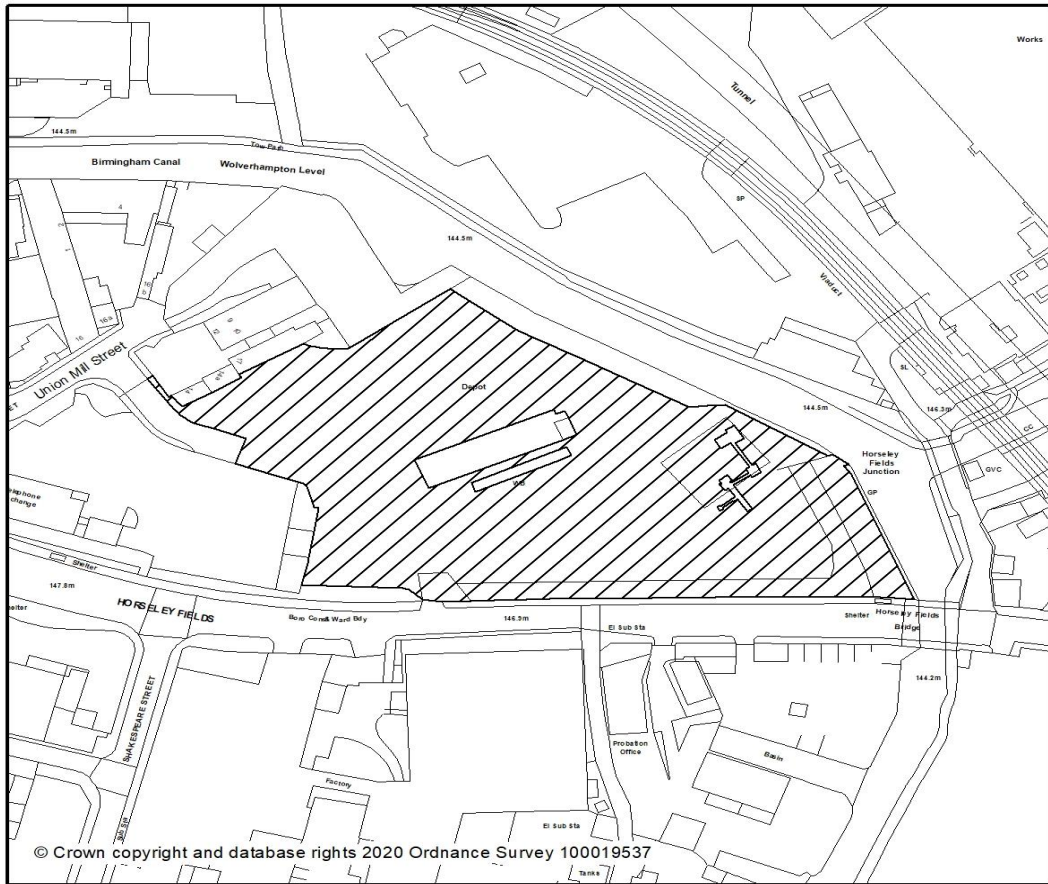
11.0 Conclusion

- 11.1 The proposals are in accordance with the Development Plan and contribute to the strategic aims of the Canalside Quarter.

12.0 Detail recommendation

- 12.1 Grant subject to the following conditions:
- The use shall cease and any associated plant, materials and equipment shall be removed on or before 18th September 2021.
 - The approved site remediation (report and recommendations by Tim Cawood) scheme shall be commenced no later than 18th June 2021 and to be fully implemented by 18th September 2021.
 - Site operations to be carried out in accordance with the submitted operational working plans
 - Drainage plan
 - No treating and composting of organic material
 - Noise condition
 - Outside storage and treatment of waste in the designated areas
 - Stock piles maximum height of 5m;
 - Wheel cleaning facilities
 - All non-road vehicles and stationary plant shall comply with emissions requirements

- Hours of operation shall be limited to:
08:00 to 17:00 Monday to Friday
08:00 to 13:00 Saturday
No hours on Sundays and Bank Holidays.
- External lighting shall be in accordance with the lighting installation report dated 26th May 2015;
- Air quality monitoring;
- Union Mill Street entrance shall be restricted to staff access only.
- Archaeological Evaluation
- No more than 29,999 tonnes of hazardous waste to be received by the site per annum (for the year up to the proposed ceasing of the use on 18th September 2021).



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/00673/FUL	
Site	Site of Former Bilston Tennis Courts, Villiers Avenue / Harper Road	
Proposal	Erection of 10 two-bedroom dwellings with associated landscaping and parking.	
Ward	Bilston North;	
Applicant	City of Wolverhampton Council	
Cabinet member with lead responsibility	Councillor Stephen Simpkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Vijay Kaul	Senior Planning Officer
	Tel	01902 553791
	Email	Vijay.Kaul@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

2.1 The site of Former Bilston Tennis Club, located on the corner of Villiers Avenue and Harper Road, it is currently vacant and has not been in use for several years.

2.2 The 0.27 hectare site is situated in a residential area, Villiers Avenue is to the west, Elm Avenue adjoins the eastern boundary and Harper Road to the north. There are a variety of house types in this area.

3.0 Application details

3.1 The application proposes the erection of ten two-bedroom 100% affordable housing units to be managed by Wolverhampton Homes, each would be one and a half storeys high, contained in 2 terraced blocks fronting Villiers Avenue. The dwellings would be designed to a Passivhaus Standard and Category 2 adaptable and accessible standards.

- 3.2 Vehicular access points would be created from Villiers Avenue leading to one off-street parking space per dwelling. New tree planting and landscaping will be introduced within the site. New boundary treatment will be provided across the site.
- 3.3 Amended plans were submitted to change the orientation of dwellings to face directly onto Villiers Avenue, with vehicular accesses removed from Harper Road.

4.0 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 Open Space Strategy & Action Plan (Updated June 2018)
- 4.4 Renewable and Low Carbon Energy SPD (September 2012)

5.0 Publicity

- 5.1 The application was originally advertised by direct neighbour notification and site notices. Representations from five neighbours was received and summarised as follows;
- Support principle of residential development.
 - Appearance of industrial looking dwellings will harm character of area.
 - Lack of visitor parking, narrow roads surround site.
 - Side of dwellings face onto Villiers Avenue, harmful to streetscene.
 - Harper Road, or even Villiers Avenue, too narrow to accommodate multiple accesses – harmful to pedestrians and traffic.
 - Overbearing and out of scale for adjacent residents.
- 5.2 Following re-consultation on amended plans, there was 1 representation received summarised as follows;
- Local residents were originally advised there would be only bungalows, plans show two storey houses.
 - Overlook gardens in Elm Avenue.
 - Design not in keeping with residential area.

6.0 Consultees

- 6.1 Highways: No objection subject to conditions.
- 6.2 Environmental Health: No objection subject to scheme to deal with land contamination and ground gases.
- 6.3 Tree Officer – No objection subject to conditions.

- 6.4 Coal Authority: No objection subject to a condition requiring a detailed remediation scheme to protect the development from the effects of land instability derived from past underground mining activity
- 6.5 Severn Trent Water: No objection subject to a condition requiring drainage details.
- 6.6 Lead Local Flood Authority: No objection subject to condition.
- 6.7 West Midlands Police: Support.

7.0 Legal implications

- 7.1 There are no legal implications arising from this report. KR/16122020/C

8.0 Covid Implications

- 8.1 There are no Covid implications arising from the recommendation of this report.

9.0 Appraisal

- 9.1 The main issues for consideration are;
- Principle of development
 - Character and appearance
 - Highways and Parking
 - Impact on protected trees
 - Residential amenity
 - Ecology

Principle of development

- 9.2 Following Bilston Tennis Club relinquishing their lease on the site several years ago, the site became vacant and fell into disrepair. In June 2017, the Cabinet (Resources) Panel approved the proposal to re-develop this site under the Housing Revenue Account (HRA) capital new build programme for the provision of affordable council housing to help meet the housing needs of residents in the City, managed by Wolverhampton Homes. The site has also been included in the Council's Strategic Housing Land Availability Assessment (SHLAA), as suitable for housing.
- 9.3 Sport England and the Lawn Tennis Association raise no objection to the use of this site for 100% affordable housing, subject to payment of £40,000 from HRA funds to mitigate for the loss of the tennis courts, to be used to improve the tennis courts at East Park. This payment was authorised by the Cabinet (Resources) Panel.
- 9.4 Therefore the principle of residential development on this site is acceptable.

Character and appearance

- 9.5 The proposed houses would incorporate high quality design credentials, constructed to a Passivhaus Standard incorporating a variety of measures with regard to renewable energy and energy efficiency with the aim of securing development which achieves the highest standards of construction detailing to provide a high level of occupant comfort and use very little energy for heating and cooling.
- 9.6 Following concerns with originally submitted plans, the terraces have now been orientated to respond to the existing context of dwelling fronting Villiers Avenue. The position, scale and height of the dormer bungalows are acceptable when viewed in conjunction with surrounding development and the modern external design respects the local character and would contribute to the varied dwelling types already found in the area. A condition is required to agree the final materials schedule.
- 9.7 The end units would contain secondary windows contributing to an active street frontage to Harper Road, this in addition to new tree provision ensures the development would not harm the character and appearance of the surrounding area.

Highways and Parking

- 9.8 As Villiers Avenue is already traffic calmed, the proposed new vehicular accesses are acceptable, the combined width of the footway and grass verge provides acceptable vehicular visibility splays. This address neighbours' concerns originally raised with access points being introduced along Harper Road.
- 9.9 In this location close to Bilston Town Centre, the Highways Officer confirms the off-street parking provision is acceptable, which comprises of one space per two-bedroom dwelling. There would be no unacceptable harm to highway safety.

Impact on trees

- 9.10 The vehicular access points have been designed to avoid conflict with street trees along Villiers Avenue. The layout ensures no harm to trees in adjacent residential gardens as dwellings would be constructed outside root protection areas (RPAs). A condition is required for a design and method statement.

Residential amenity

- 9.11 The rear elevation of proposed dormer bungalows would be at least 22m away from habitable rooms of dwellings located in Elm Avenue. Boundary treatment would further protect the ground floor windows relationship. No harm upon these neighbours arise.
- 9.12 The dwellings have been arranged to protect the immediate outlook from and daylight to adjacent neighbours. Any side facing first floor windows would need to be obscure

glazed and openers restricted to no less than 1.7m high from the internal room level. This would protect the privacy of 'Tregonwel' and 33 Villiers Avenue, and 12 Elm Avenue.

- 9.13 Each new dwelling would be provided with sufficient private amenity space, in addition to a shared communal space between the two blocks.

Ecology

- 9.14 The accompanying Preliminary Ecological Assessment confirms no harm to protected species. A condition is required to implement recommendations, Ecological Mitigation and Enhancement Strategies.

10.0 Conclusion

- 10.1 The proposed development is acceptable and in accordance with the development plan.

11.0 Detail recommendation

- 11.1 That planning application 20/00673/FUL is granted subject to the following conditions;

- External materials
- Levels
- Construction Management Plan (inc operational hours)
- Land contamination and ground gas
- Detailed remediation scheme (coal mining)
- Drainage
- Landscaping
- Tree protection measures
- Ecological Mitigation and Enhancement
- Visibility Splays
- Implement access and parking
- Agree street furniture to be removed or relocated
- Boundary/retaining treatments
- Electric charging points
- Renewable energy
- Remove PD rights for rear extensions
- Obscure glazing / top openers (1.7m from room level) to first floor side elevation windows
- Submission of a Passivhaus certification



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/01421/FUL	
Site	St Edmunds Catholic Academy, Compton Park	
Proposal	Extensions to existing buildings to provide four additional classrooms, an extended dining area and an additional changing room.	
Ward	Park	
Applicant	Mrs Maggie Hazeldine	
Cabinet member with lead responsibility	Councillor Steve Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Stephen Alexander	Head of Planning
	Tel	07771 836400
	Email	stephen.alexander@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to conditions.

2.0 Application site

2.1 The site is an existing secondary school in Compton Park. It is within the Green Belt, adjacent to relatively new detached houses and has vehicular access from Compton Road West via the road called Compton Park.

3.0 Application details

3.1 The extensions will provide four new classrooms within a two storey extension. Single storey extensions will enlarge the existing dining area and provide an additional changing room. All of the additional floor area will be created by extending the existing main school building in three separate locations. The architecture and overall massing and scale of new construction will be contemporary in style and in keeping with the existing buildings.

3.2 The proposed development represents a 7% increase in the floor area of the school that will enable an increase in the number of pupils from 995 in 2020 to 1170 in 2025 and the creation of an additional 16 teaching jobs.

3.3 The application is supported by the following reports:

- Design and Access Statement
- Green Belt Statement
- Transportation Assessment
- Travel Plan
- Surface Water Management Report

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)
The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

5.0 Publicity

5.1 At the date of writing the report, three representations had been received objecting on the following grounds:

- Adverse impact on the outlook from neighbouring houses;
- Reduction in daylight to neighbouring houses;
- Impact on congestion and highway safety;
- Exacerbation of existing issues of parking and access to nearby houses during pick up and drop off times.

5.2 Any further representations will be reported verbally.

6.0 Consultees

6.1 Transportation comments will be provided by a written update.

6.2 Education support the proposals.

7.0 Legal implications

7.1 The legal implications arising from this report are set out below. KR/17122020/D

8.0 Covid Implications

8.1 There are no Covid implications arising from the recommendation of this report.

9.0 Appraisal

9.1 There are three key issues:

- Green Belt
- Neighbours Amenities
- Highway Safety

Green belt

- 9.2 New development in the Green Belt should generally only be approved in very special circumstances in accordance with the NPPF. The comprehensive Green Belt statement sets out the benefits of the development to the education of children in Wolverhampton. There are considered to be very special circumstances that justify these extensions to the existing school buildings as set out in the following paragraphs.
- 9.3 There has been a request from the City of Wolverhampton Council education department for additional pupils to be placed at St Edmunds in order to help meet the statutory requirement to provide a sufficient amount of school places. The school is to increase its pupil numbers over time by 175 pupils, some of these can be accommodated within the existing school which had some spare capacity, the remainder require the additional classrooms, changing room and larger dining area.
- 9.4 As a result of the additional pupils the school would be unable to safely function and could not effectively deliver the curriculum without additional space in the form of classrooms, a larger dining room and changing facilities. This is due to the requirements set out within Education Building Bulletin guidelines, specifically Building Bulletin 103. The proposed additional 641m² is the minimum requirement to accommodate the additional pupils. The increase in the number of pupils requires expansion of the school to significantly improve the teaching environment.
- 9.5 The proposed development will allow for other internal alterations within the existing building to enable a better use of space including improved science labs and improved technology. This will provide the pupils with improved facilities and equipment to improve the level of education they receive and increase their opportunities. The need and benefits of providing additional development to enable excellent schooling provision at a good school outweighs any potential harm from the proposed development.

Highway Safety

- 9.6 A comprehensive Transportation Assessment has been submitted that states:
- The proposals have been demonstrated to accord with both national and local transport policy, being in a location that is well-connected with regards to opportunities for walking, cycling and public transport;
 - An analysis of historic accident data suggests that there are no historic accident trends that might be exacerbated by the proposal;
 - It is anticipated that a total of 82 two-way vehicle trips may be generated in the morning peak and afternoon peak hours (15:00 – 16:00);
 - Parking and pick up / drop off arrangements have been considered with the Transport Assessment. It is likely that the impact of the development proposals will be distributed across the local road network where various opportunities for pick up and drop off will take place, including up to 140 spaces along Compton Park Road.

- 9.7 The Transport Assessment concludes that the development proposals could not be considered to have a severe residual impact on the local highway network; the test set out in NPPF.
- 9.8 There are no substantive highway reasons that would justify a planning reason for refusal.
- 9.9 Neighbours have raised concern about the exacerbation of existing congestion issues experienced by residents due to the proximity of the school. Of particular concern is parents parking inconsiderately and blocking accesses to residential driveways. These issues are acknowledged, are similar to those experienced at many schools and the management of these issues can be challenging. The submitted Travel Plan sets out the school's commitment to encouraging cycling and using public transport, as well as ongoing monitoring of staff and pupil travel surveys. The majority of students either walk, cycle or use public transport to and from the school. The implementation of the Travel Plan can be conditioned.
- 9.10 In view of the accessibility of the location, the provision of a Travel Plan and the relative short period of potential impacts at drop off and pick up times, any possible additional inconvenience to neighbours is considered to be insufficient to justify a reason for refusal.

Neighbours Amenities

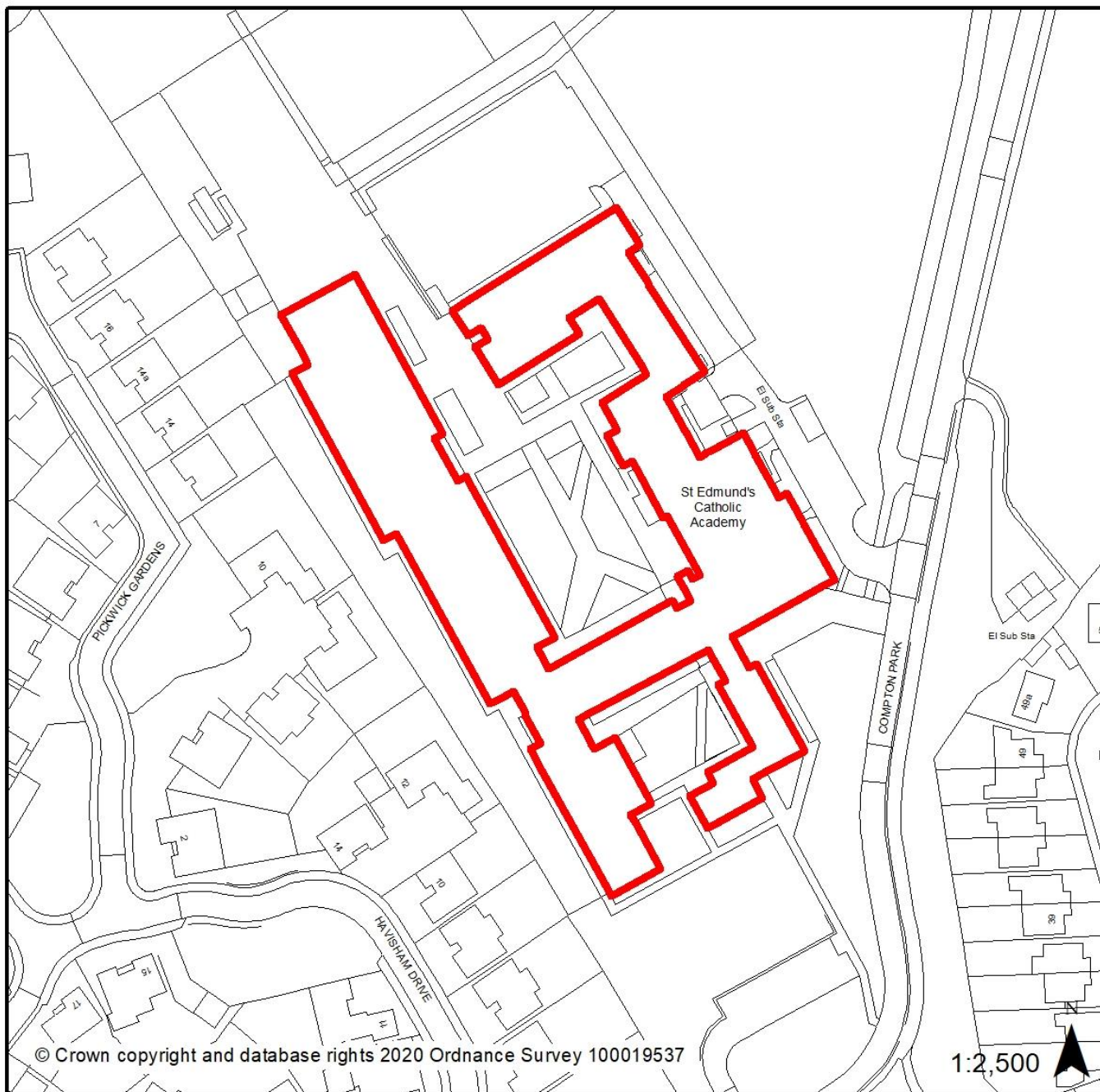
- 9.11 The proposed extension to the dining room is within the centre of the existing buildings. The new changing room is a small single story extension, set at a lower level than the adjacent house. The two storey extension will be visible from the neighbouring properties but will be at a lower level to the east-northeast and is approximately 25m from the rear facing windows of the nearest house.
- 9.12 The proposed extensions will not appear overbearing and will not reduce daylight levels in the habitable rooms of the neighbouring houses. There will be no adverse impact on the amenities of the neighbours that would justify a reason for refusal.

10.0 Conclusion

- 10.1 In accordance with national policy, very special circumstances have been demonstrated that justify the development in the Green Belt. Having regard to all other issues, the proposed development is acceptable and in accordance with the development plan.

11.0 Detailed recommendation

- 11.1 That planning application 19/00607/FUL is granted subject to following conditions:
- Materials
 - Drainage
 - Construction Management Plan (including traffic control measures)
 - Travel Plan



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/01541/TR	
Site	Land South of Junction with Bankfield Road, Nettlefolds Way, Bilston, West Midlands	
Proposal	06/00437/TPO (A1) - Fell 28 Lombardy Poplars. Reason - there are concerns regarding the condition and safety of the trees following the failure of one of the trees in August.	
Ward	Bilston East;	
Applicant	Mr Charles Langtree - The Lands Trust	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	James Dunn	Tree Officer
	Tel	07976750934
	Email	James.dunn@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Approve subject to conditions.

2.0 Application site

- 2.1 The trees subject to this application are a group of 28 Lombardy poplar trees that are located on the open space south of the Junction with Bankfield Road, and Nettlefolds Way. The trees are located close to the boundary fence with Loxdale Primary School.
- 2.2 The Trees are protected under The Wolverhampton (GKN Sankey Sports Ground) Tree Preservation Order 1984 (Ref: 06/00437/TPO (A1)).
- 2.3 The trees form 2 linear groups along the boundary line either side of a pedestrian entrance into the primary school. The trees are a significant landscape feature in the area and provide a high amount of visual amenity to the surrounding area.

3.0 Application details

3.1 The applicant, who is the manging agent for the land, has proposed to fell the trees due to concerns regarding their condition following the failure at the base of one of the trees in August. Given the location of the trees any future failures would present an unacceptable safety risk to both the users of the open space and also pupils, staff and visitors at the school. It is proposed to plant replacement trees following the removal of the trees.

4.0 Relevant policy documents

4.1 None

5.0 Publicity

5.1 No comments received.

6.0 Consultees

6.1 No officer consultation.

7.0 Legal implications

7.1 There are no legal implications arising from this report [KR/18122020/E]

8.0 Appraisal

- 8.1 The trees subject to this application provide a significant level of public amenity to the area due to their presence as a landscape feature visible across the open space, and from the adjacent public highways. Given their amenity value significant justification would be required to justify their removal.
- 8.2 The tree that had failed in August had a significant cavity in the lower stem and down into the root flare of the tree which comprised approximately 90% of the cross-sectional area of the stem. The decay had advanced to the point that the remaining timber was unable to support the weight and wind loading that the tree was subject to. This structural failure resulted in the tree falling from the base into the grounds of the school.
- 8.3 The 2 groups of trees have formed distinct aerodynamic groups, with neighbouring trees in each group having adapted to and relying on the shelter that adjacent trees provide. Creation of any gaps within the 2 groups of trees by removal of individual trees may render the adjacent trees more liable to failure. Therefore, even if some trees within the group(s) do not have any significant defects then the removal of the whole group may be justified if sufficient trees within the group require removal due to the presence of defects.
- 8.4 A number of trees within the group of the one that failed were sounded with a mallet to asses the presence of decay. Of the 5 sounded 4 suggested that there was decay

present at the base of the tree, and given the species response to decay, the risk of failure in these trees will increase in time.

- 8.5 Given that all the trees are of the same age and species, and have existed in similar ground conditions, a similar level and proportion of decay is likely to be present in the remaining trees within the group.
- 8.6 The applicant is currently arranging for the remaining trees to be assessed for decay to confirm the levels of decay present, the results of this assessment will be reported to the Committee. Whilst normally such information would be required 'up front' given the committee cycle, and the start of the bird nesting season at the beginning of March 2021 it is appropriate for this application to be presented to the January 2021 committee.
- 8.7 The condition of the trees will have been adversely affected by the local development and associated ground works to form the school site and the open space, However given the age species, and generally poor ground conditions in the area, the decline of the trees at their stage of life is not unexpected.
- 8.8 The removal of the trees will have a significant impact on the public amenity of the area, as the landscape feature will be lost. The future removal of the trees is something that has been considered as part of the landscape design and setting out of the adjacent open space as a replacement shelter belt has already been planted. However, this is still in its infancy and will not mitigate the lost amenity for a number of years.
- 8.9 The applicant has also proposed to further reinforce the recent planting with additional planting along the line of the trees to be removed. As such whilst there will be a loss of amenity in the short to medium term, the long-term amenity of the area will be preserved and enhanced by the new trees, which will be more in keeping to the adjacent land uses.
- 8.10 Subject to the confirmation of the expected condition of the trees, the removal of the likely safety risk that these trees present is sufficient to justify the impact on the amenity of the area that will result.

9.0 Conclusion

- 9.1 Subject to the confirmation of the expected presence and extent of decay in the remaining trees, and given the general condition of the trees subject this application, their removal is justified in order to reduce the safety risk that these trees will pose to the users of the open space and adjacent primary school.

10.0 Detail recommendation

- 10.1 Grant subject to the receipt of appropriate confirmation of poor condition in the wider group(s) of trees and a condition requiring the planting of appropriate replacement trees.

