

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

Venue Council Chamber, 4th Floor, Civic Centre, St Peter's Square, Wolverhampton,

Membership

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

Labour

Cllr Olivia Birch
Cllr Alan Butt
Cllr Jasbinder Dehar
Cllr Celia Hibbert
Cllr Rashpal Kaur
Cllr Asha Mattu
Cllr Phil Page

Conservative

Cllr Jonathan Yardley
Cllr Wendy Thompson
Cllr Andrew Randle

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 - 10)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 21/00562/FUL - St Bartholomews Church Of England Primary School, Sedgley Road, Wolverhampton, WV4 5LG (Pages 11 - 18)
[To consider the planning application] |
| 6 | 21/00505/FUL - 14 Wincote Drive, Wolverhampton, WV6 8LR (Pages 19 - 22)
[To consider the planning application] |
| 7 | 21/00213/FUL - 17 Cranmere Avenue, Wolverhampton, WV6 8TR (Pages 23 - 26)
[To consider the planning application] |
| 8 | 20/01584/OUT - Land East Of 86 Arthur Street, Parkfield, Wolverhampton (Pages 27 - 34)
[To consider the planning application] |
| 9 | 20/01346/FUL & 20/01324/LBC - "Canalside", Land at Union Mill Street, Horseley Fields, Wolverhampton (Pages 35 - 48)
[To consider the planning application] |
| 10 | 21/00830/FUL - Mount Tavern Public House, 245 Penn Road, Wolverhampton, WV4 5SF (To Follow)
[To consider the planning application – Report to follow] |

Attendance

Councillors

Cllr Keith Inston (Chair)
Cllr Anwen Muston (Vice-Chair)
Cllr Olivia Birch (Virtual)
Cllr Alan Butt
Cllr Jasbinder Dehar (Virtual)
Cllr Celia Hibbert
Cllr Rashpal Kaur (Virtual)
Cllr Asha Mattu (Virtual)
Cllr Phil Page
Cllr Andrew Randle
Cllr Wendy Thompson
Cllr Jonathan Yardley (Virtual)

Employees

Stephen Alexander	Head of City Planning
Vijay Kaul	Senior Planning Officer
Jennifer Nicholds	Planning Officer
Alisha Paul	Planning Officer
Phillip Walker	Senior Planning Officer
Tim Philpot	Professional Lead - Transport Strategy
Donna Cope	Democratic Services Officer
Jas Kaur	Democratic Services Manager
Stuart Evans	Solicitor

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

There were no apologies for absence.

2 Declarations of interest

Councillor Wendy Thompson declared a non-pecuniary interest in respect of agenda item 6.

3 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 23 March 2021 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **21/00048/OUT - Land behind 2 to 30 Eccleshall Avenue, Wolverhampton**

Planning application 21/00048/OUT had been withdrawn from Planning Committee so therefore was not considered.

6 **21/00158/FUL - 30 Wrottesley Road, Wolverhampton, WV6 8SF**

Having declared an interest, Councillor Wendy Thompson left the meeting room whilst the application was considered.

The Committee considered a report regarding 21/00158/FUL - Proposed Residential Development for one detached dwelling.

Jennifer Nicholds, Planning Officer, reported that since the agenda had been published two further objections had been received regarding loss of light, parking, and privacy issues.

Mr Peter Hall addressed the Committee and spoke in opposition to the application.

Jennifer Nicholds, Planning Officer, responded to the statements made and explained that the proposals were acceptable.

A member of the Committee raised concerns regarding potential noise nuisance and overdevelopment.

The Planning Officer responded to the questions asked and explained that the proposals were satisfactory.

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

Resolved:

That planning permission 21/00158/FUL be granted subject to the following conditions:

- Build in line with Tree plan to protect the preserved trees
- Remove Permitted Development rights for new outbuildings or conversion of garage
- Materials for drive to mitigate noise
- EVCP

- Construction management plan

Councillor Wendy Thompson returned to the meeting.

7 21/00053/FUL - 17 St Judes Road, Wolverhampton. WV6 0EB

The Committee considered a report regarding 21/00053/FUL - Proposed detached annexe to existing hostel to provide six two-bedroom and two one-bedroom accommodation (Sui Generis Hostel).

Ms Popinder Kaur addressed the Committee and spoke in support of the application.

Members of the Committee acknowledged the importance of the proposed development and supported the application.

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

Resolved:

That planning permission 21/00053/FUL be granted subject to any necessary conditions including:

- Materials
- Landscaping
- Boundary treatments
- Hours of construction
- Levels
- Drainage
- Tree protection
- Limitation on use to that applied for
- Bin and cycle storage
- No further windows in side and rear facing elevations.

8 20/01346/FUL and 20/01324/LBC - "Canalside", Land at Union Mill Street, Horseley Fields, Wolverhampton

The Committee considered a report regarding 20/01346/FUL and 20/01324/LBC - Comprehensive redevelopment of the Union Mill and Lower Horseley Fields site, including demolition and works in a conservation area, for the change of use and provision of residential dwellings, and non-residential floor space at 16 / 16a Union Mill Street, car parking, landscaping and other associated works.

Phillip Walker, Senior Planning Officer, reported the following updates since the agenda had been published:

1. Further assessment of the site had found that it would not be appropriate to build a children's' play area in the open space at Hay Basin / Victoria Basin, so therefore the condition at paragraph 11.1 of the report had been amended as follows:

£200,000 Public Open Space Contribution to be spent on improvement, provision and maintenance of canal access at Lower Horseley Fields off A454, and East Park.

2. An amended site plan and landscape plan had been received and although they appeared to enhance the scheme, the Council's Landscape Architect Team would need to be consulted and given time to consider the amendments. It was therefore requested that this be allowed for as part of the recommended delegated decision.

Mr Max King addressed the Committee and spoke in support of the application.

Members of the Committee welcomed the development and fully supported the application.

Councillor Page commended the scheme and requested that some of the s106 public open space contribution be spent on refurbishing the water feature in East Park. The Planning Officer agreed to look into this.

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

Resolved:

Delegated authority to the Director of Regeneration to grant planning application 20/01346/FUL subject to:

1. Completion of a Section 106 Agreement to include:
For the whole development:
 - Highway works, including £6,000 for traffic regulation orders
2. No objections raised by the Council's Landscape Architect Team in respect of the amended site and landscape plan.

If viable:

- 25% affordable housing
- £200,000 Public Open Space Contribution to be spent on improvement, provision and maintenance of Lower Horseley Fields canal access and open space at East Park

If not viable:

A reduction in affordable housing and public open space contribution, commensurate with the lack of viability with the reduction applying on a pro-rata basis to all dwellings ready for occupation within three years of the date that a lack of financial viability is demonstrated and the full requirement applying on a pro-rata basis to all those that are not ready for occupation at that time.

3. Receipt of an acceptable ecology report;

4. No overriding objections from outstanding consultees;
5. Receipt of acceptable amended drainage proposals;
6. Any necessary conditions to include:
 - Phasing / Construction Phasing Plan
 - Boundary treatments, including retaining walls
 - External materials including hard surfacing materials
 - Provision of a right-hand turn lane from A454 Horseley Fields, the details of which are first to be agreed with the local planning authority and the approved scheme provided in advance of the occupation of 215th dwelling (to include dwellings off Union Mill Street) at the site
 - Contaminated land remediation
 - Drainage
 - Demolition and Construction Method Statement (to include hours of demolition and construction)
 - Environmental Management Plan
 - Levels
 - Car park and car sharing club management plan
 - Landscaping
 - External Materials
 - Large scale architectural details
 - Sample panels of the external materials
 - Cycle parking and pedestrian routes, including a management plan for the use and opening and closing of any access gates within the site and at key entrance points
 - Cycle storage
 - Bin stores and waste management plan
 - Plant and machinery details
 - Electric vehicle charging points
 - External lighting
 - Provision and retention of car parking
 - Travel Plan
 - Implementation in accordance with noise report: Acoustic glazing and ventilation. Internal noise monitoring to take place prior to occupation of any dwelling.
 - 10% Renewable Energy
 - Noise insulation for all plant and heating equipment
 - Hours of construction and demolition
 - Targeted recruitment and training
 - Management company for external communal areas
 - Implementation of landscaping
 - Implement in accordance with ecology recommendations
 - Provision of signage to and on the towpath
 - Surveys and assessments for the canal wash wall
 - Remove permitted development rights for the installation of windows in the rear (west facing) elevations of the three proposed houses (labelled “new build one”)

Resolved:

That planning permission 20/01324/LBC be granted subject to any necessary conditions including external materials and large-scale architectural details.

9 **20/01588/FUL - The Dormers, Finchfield Gardens, Wolverhampton, WV3 9LT**

The Committee considered a report regarding 20/01588/FUL - Single storey and two storey rear extensions.

Alisha Paul, Planning Officer, reported that since the agenda had been published a further objection had been received regarding impact on outlook, and the design and scale of the development.

Mr Tom Blakemore addressed the Committee and spoke in support of the application.

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

Resolved:

That planning permission 20/01588/FUL be granted subject to the following conditions:

- Submission of proposed materials;
- Proposed window on the first-floor north side elevation to be obscurely glazed and fixed;
- Proposed rooflights on side elevations to be fixed (non-opening);
- No additional windows on the side elevations (other than those shown on the proposed plans).

10 **21/00320/FUL - The Broadway Public House, Lichfield Road, Wolverhampton, WV12 5UJ**

The Committee considered a report regarding 21/00320/FUL - Proposed new external patio area.

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

Resolved:

That planning permission 21/00320/FUL be granted subject to the following conditions:

- Restrict luminance levels of external lighting
- EVCP

11 **21/00314/FUL - Land Adjacent 91 Cranmore Road, Wolverhampton, WV3 9NN**

The Committee considered a report regarding 21/00314/FUL - Erection of 2 three-bedroom semi-detached properties.

Vijay Kaul, Senior Planning Officer, reported that since the agenda had been published the following condition had been added:

- *Relocation of existing telegraph pole.*

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

Resolved:

That planning application 21/00314/FUL be granted subject to the following conditions:

- External materials
- Levels
- Construction Management Plan (inc delivery hours, unloading, parking)
- Drainage
- Landscaping
- Ecological enhancement
- Boundary treatment visibility splays / H markings
- Existing redundant dropped kerbing replaced with full height kerbing
- Implement access and parking
- Boundary treatments
- Electric charging points
- Remove PD rights for rear extensions and dormers
- Remove PD for installation of side elevation windows at first floor level.
- Relocation of existing telegraph pole.

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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 13 July 2021
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Planning application no.	21/00562/FUL	
Site	St Bartholomew's Church of England Primary School, Sedgley Road, Wolverhampton, WV4 5LG	
Proposal	New build Early Years building, expansion of School Hall, minor elevation alterations to Nursery entrance and reconfigure car park.	
Ward	Penn	
Applicant	St Bartholomew's CE Multi Academy Trust (Katy Kent)	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Author name	Vijay Kaul
	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 St. Bartholomew's CE Primary School is located off Sedgley Road on the outer skirts of the City, close to the boundary with South Staffordshire. The original school buildings sit along Sedgley Road, flanked by later additions to the west and north. The school playing field sits to the west of the site and hard play areas to the north and south of the site. Staff car parking and service access is located to the north of school buildings.
- 2.2 The school site is bounded by dwellings to the north and south, and farmland to the west. Directly opposite are dwellings, and the car park serving The Old Stags Head public house, which is currently vacant.
- 2.3 The school sits within the Vicarage Road (Penn) Conservation Area and land designated as Green Belt.

3.0 Application details

- 3.1 Construction of a detached single storey building to create two new Reception classrooms and one new Nursery classroom and ancillary space. This would be located south of the existing school site, set between the school playing field and the southern playground.
- 3.2 There is a minor expansion of the existing school hall by 46.9 square metres, and minor elevation alterations to the Nursery entrance.
- 3.3 The planning statement confirms the proposal will accommodate its planned increase of pupil numbers by 105 pupils overall (from 1.5 forms of entry - 45 places per year group to 2 forms of entry - 60 places per year group). Over a seven-year period starting in September 2021, 15 additional pupils per year will mean permanent admission numbers increased from 315 pupils to 420 pupils.
- 3.4 Staff parking will remain as existing, though the car will be reconfigured to accommodate cycle and motorcycle parking, and disabled parking bay.

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)

5.0 Publicity

- 5.1 The application was advertised by direct neighbour notification, site notice and local newspaper advert. 4 representations have been received and can be summarised as follows:
 - Increased traffic disruption at drop off and pick up times, particularly around Sedgley Road and Pennwood Lane.
 - Existing statutory enforcement or the school has failed to address thoughtless and dangerous parking (on pavement and junctions, blocking driveways), could cause serious accident/fatality.
 - Pre-submission consultation carried out by the school, noted 21 responses citing concerns about traffic/parking issues.
 - Expansion will not encourage cycle or walking.
 - Request yellow lines be placed along Sedgley Road
 - Uncertain future of The Old Stags Head car park

- Staggered times extend disruption
- Disruption during construction
- Playgrounds too small to accommodate pupil increase
- Questions around intake policy for local residents.

6.0 Consultees

Internal

- 6.1 Highways – No objection subject to conditions.
- 6.2 Environmental Protection (Land Contamination) – No objection.
- 6.3 Tree Officer – No objection subject to conditions.
- 6.4 Education – Supportive of proposal.

External

- 6.5 Severn Trent Water – No objections subject to conditions
- 6.6 South Staffordshire Council – No response received.

7.0 Legal implications

- 7.1 The legal implications arising from this report are set out below KR/0107201/E.

8.0 Appraisal

- 8.1 The main issues for consideration are:
 - Principle of development in the Green Belt
 - Consideration of Very Special Circumstances
 - Character and appearance
 - Highways and Parking
 - Residential amenity
 - Impact on protected trees

Principle of development in the Green Belt

Whether inappropriate development

- 8.2 Given that the main single storey extension takes place in an area where there are currently temporary buildings, it is inappropriate development in the Green Belt, which by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the

Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. These are considered below.

Effect on openness

- 8.3 The addition of the single storey extension in place of poor quality but smaller wooden cabin and storage building marginally reduces the openness of the Green Belt. The impact would be mitigated by several factors in that views are partially screened by mature tree screening along the southern boundary and immediately north of the extension, especially when in leaf. The extension would be seen in the context of the existing school complex and the dwelling to the south, projecting out to the east in a similar position to existing school buildings. The planning authority are therefore satisfied that the building would not be visually prominent from the playing field, farmland or from Sedgley Road.
- 8.4 The changes to the hall have been designed to minimise the physical expansion of the building. Existing storage spaces to the rear of the building will be opened-up into the hall and these rooms extended to 'square off' the corner of the building, there will be a minimal increase in height.
- 8.5 The overall impact on openness would therefore only be marginally increased by this proposal.

Consideration of Very Special Circumstances

- 8.6 The main challenge the Local Authority faces in relation to the organisation of school provision is ensuring that sufficient high-quality school places are available to meet the needs of school communities across the City.
- 8.7 St. Bartholomew's CE Primary School is currently a 1.5 form entry primary school and is rated outstanding by Ofsted. As expected, it is very popular with the number of first preferences for the school, significantly exceeding the number of places on offer over the past five years.
- 8.8 As a result of this demand in the local area, the Council have requested that the Pupil Allocation Number (PAN) for the school is increased by 15 pupils a year over a 7-year period leading to a total increase of 105 pupils. The expansion of the school is already included in the Council's Primary School Expansion Programme 2021 and 2022. This expansion would be effective from September 2021.
- 8.9 It should be noted there was an increased (bulge) admissions intake in September 2015 and 2016 (a total of 30 children), these year groups will move back to normal sizes by the end of the school year in 2023. So, the increase in pupil numbers would be 75 pupils when compared to this baseline of 345 pupils, or 105 pupils if taken from the original PAN of 315.
- 8.10 The proposed extensions will help accommodate the permanent expansion from 1.5 forms of entry (45 places per year group) to 2 forms of entry (60 places per year group).

The planned school expansion is predicated upon additional classroom space to be created by this proposal.

- 8.11 In addition, the St Bartholomew's CE Multi Academy Trust met the factors that were considered when prioritising potential school expansion schemes including; schools which are popular with parents, those judged as 'Good' or 'Outstanding' by Ofsted, attainment, stable and proven leadership and being located in an area of high demand. To conclude, the expansion of St Bartholomew's CE Primary will support the Local Authority's statutory duty in ensuring sufficient school places are available in the local area.
- 8.12 The considerations weighing against the harm to the Green Belt carry significant weight. The local planning authority is satisfied that the need for the proposal to provide additional accommodation at the school to accommodate school place demand has been clearly demonstrated. In accordance with paragraph 94 of the NPPF, LPA's must give great weight to any proven need to expand the school, and attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.
- 8.13 Taken together, the above considerations demonstrate there are very special circumstances which exist to justify the development.

Character and Appearance

- 8.14 The siting of the detached extension and high standard of design has been carefully considered so as to minimise the level of harm. The hall extension and minor nursery elevation changes are sympathetic to the school design. The magnitude of change to the Vicarage Road (Penn) Conservation Area and the designated heritage asset (i.e. Grade II* Listed St Bartholomew's Church) is low due to the design proposals that reflect the vernacular form and historic interest.
- 8.15 The proposal would therefore preserve the character and appearance of the Conservation Area.

Highways and Parking

- 8.16 The school expansion will not lead to an increase in teaching staff, but there will be part-time teaching assistant roles (two full-time equivalent) spread throughout the school day. The existing staff parking demand would not therefore significantly increase, and the minor changes to the car park layout would be acceptable. Implementation of more staff parking would harm either hard play provision or harm to the conservation area through loss of landscaping.
- 8.17 Residents are concerned that the expansion of the school would bring more pupils with the potential for being dropped-off and collected by car, exacerbating existing conflicts between parents and residents particularly on Sedgley Road, Vicarage Road and

Pennwood Lane. The Highway Authority acknowledge these issues given the increase of up to 35 cars anticipated in the submitted Transport Assessment. However, some of these issues can arise from inconsiderate driver behaviour and parking by those dropping-off or collecting children. As is evident at schools across the City, there are often competing pressures on the available street parking at drop off and pick up times.

- 8.18 An analysis of the most recent accident data suggests that there are no historic accident trends that might be exacerbated by the proposal.
- 8.19 St Bartholomew's School does benefit from a nearby local car park (opposite the church) and continue to encourage parents to utilise this. They also have had an informal arrangement to park on The Old Stags Head car park, however, this facility is currently vacant, and signage requires payment to park, the applicant continues to explore a more permanent arrangement for this to continue.
- 8.20 To alleviate some of the concerns about traffic movement and parking, the Education Authority has been in discussion with the applicant (and their highway consultant) about the introduction of funded mitigation measures. The scope of works to be secured by condition is likely to include the following:
- School safety zone 20 mph
 - Improvements to the crossing points
 - Traffic calming measures
 - Gateway signage to encourage lower vehicle speeds
- 8.21 The applicant has already introduced staggered start/finish times for all pupils. Key Stage 1 (Pupils aged between 3 and 7) are dropped off at 0830, the school day for these pupils will finish at 1500. Key Stage 2 (Pupils aged between 8 and 11) are dropped off at 0855 with their school day finishing at 1515. Children with siblings with conflicting schedules will be allowed to start / finish school early. The Transport Statement demonstrates the staggered times reduce the number of vehicles attending the school within any 15 minute period by up to 49 cars, improving parking capacity.
- 8.22 The submitted Travel Plan is orientated towards influencing travel behaviour of pupils/parents and staff. Including measures to encourage walking and cycling to the school, reduce single occupancy vehicle trips and encourage public transport use. A condition will be required for its implementation. It is also noted the school expansion would actually occur over several years (15 pupils per year) with the highway impacts distributed proportionally and benefitting from these interventions to address concerns.
- 8.23 A condition will require the submission of a construction management plan, which will include working hours, delivery times to avoid peak traffic hours, and construction staff vehicle parking.
- 8.24 In light of these above measures, and the relative short period of potential impacts at drop off and pick up times, the Highway Authority do not object. The proposed

development would not conflict with transport and parking development plan policies, nor would there be conflict with NPPF paragraph 109 which says that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Residential amenity

- 8.25 There would be some 29m between the rear elevation of the nearest dwelling at 2 Sedgley Road to the proposed front elevation of the single storey extension. In addition, trees on the boundary would be unaffected and therefore, the proposal would not result in any overlooking or loss of privacy. The hall extension would be well contained within the school grounds.
- 8.26 This ensures that nearby residential properties would not be adversely affected by this proposal.

Impact on protected trees

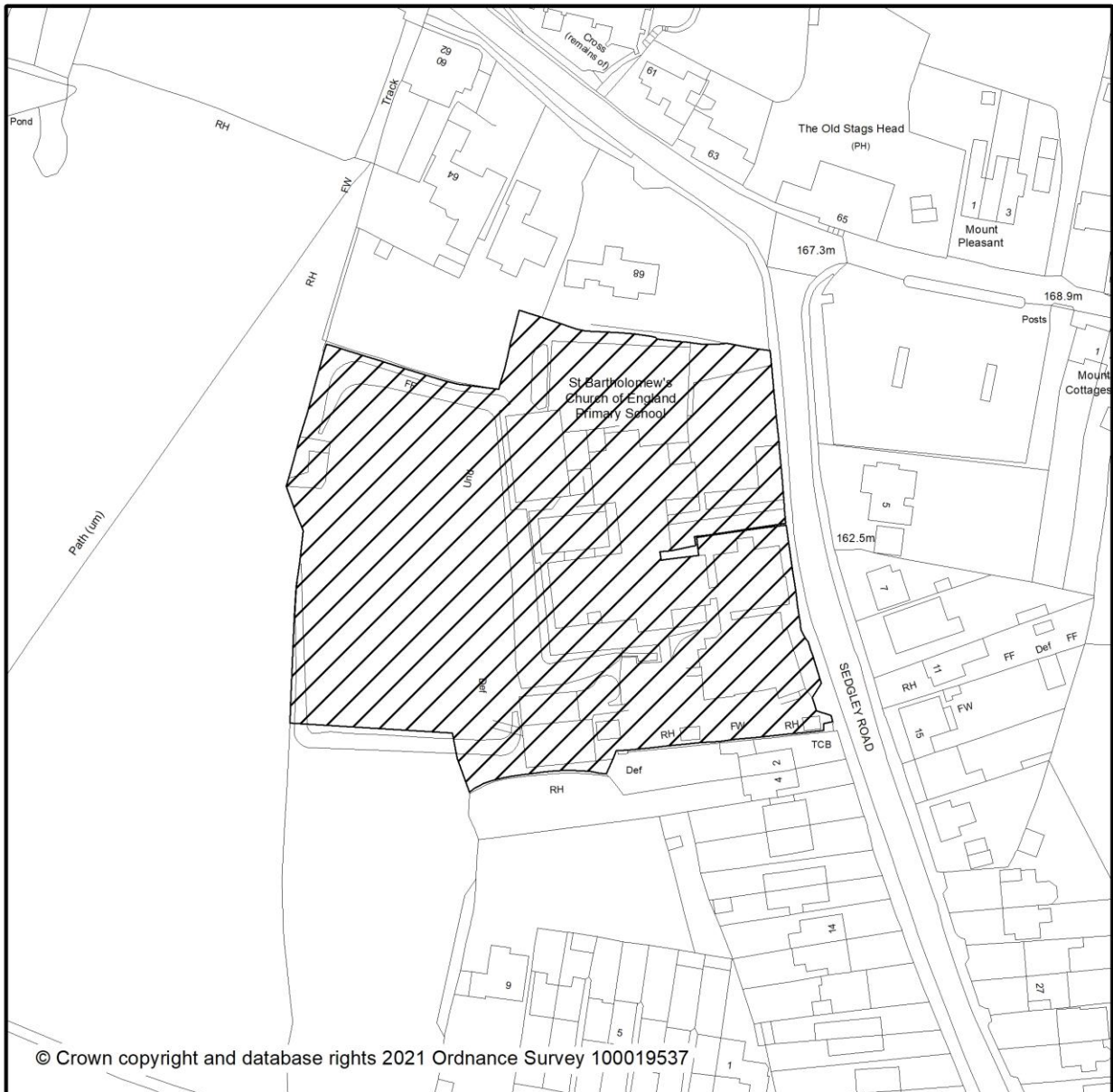
- 8.27 A Tree Report / Impact Assessment accompanies the application. It recommends protective measures, so that protected trees along the southern boundary which closely adjoin the building, are not harmed.

9.0 Conclusion

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

10.0 Detail recommendation

- 10.1 That planning application 21/00562/FUL is granted subject to following conditions
- Materials
 - Drainage
 - Tree protection measures
 - Landscaping plan
 - Construction Management Plan (including traffic control measures)
 - Transportation mitigation measures
 - Travel Plan
 - Parking layout implementation
 - Cycle/motorcycle parking
 - Accord with recommendations of ecology report



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 13 July 2021
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Planning application no.	21/00505/FUL	
Site	14 Wincote Drive, Wolverhampton, WV6 8LR	
Proposal	Demolition of existing garage and kitchen and erection of a single storey extension	
Ward	Tettenhall Wightwick;	
Applicant	Mr & Mrs Gammon	
Cabinet member with lead responsibility	Councillor Stephen Simkins, Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Jennifer Nicholds	Planning Officer
	Tel	01902 555699
	Email	Jennifer.nicholds@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to conditions

2.0 Application site

2.1 The site is a detached bungalow on a corner plot with a detached garage. The surrounding area is predominantly residential with a mixture of dwelling types of different design and scale

3.0 Application details

3.1 The application is to demolish the existing garage and kitchen and to erect a single storey side extension to increase the size of the existing property, incorporating a new garage. The number of bedrooms will not increase.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)

4.2 Wolverhampton Unitary Development Plan (UDP)

4.3 Black Country Core Strategy (BCCS)

5.0 Publicity

5.1 The application received 11 objections based on the first plans. After receiving amended plans we have received 6 objections and a request to speak at committee highlighting the following concerns:

- Impact on neighbour amenity by loss of daylight and outlook, noise, overshadowing and privacy
- Overbearing impact
- Negative impact on street scene based on mass, scale and appearance
- Loss of private amenity space
- Parking concerns
- Impact on trees
- Loss of open character
- Solar panels are obtrusive

6.0 Consultees

6.1 Trees: No objections subject to conditions

7.0 Legal implications

7.1 There are no legal implications arising from this report KR/01072021/A

8.0 Appraisal

- 8.1 Wincote Drive is predominantly residential with houses of different sizes, scale and design. Many of these properties have already been extended to fill the full boundary meaning that although this is a relatively large extension it is acceptable in its context.
- 8.2 The width of the extension would not have any additional undue effect to neighbouring amenity in terms of overbearing impact, loss of light or privacy given the requested reduction in width.
- 8.3 The extension has been designed to relate well to the properties on either side and the established building line.
- 8.4 The number of parking spaces and bedrooms will remain the same meaning there will be no undue impact on highway safety.
- 8.5 The remaining garden is sufficient for the size of the property

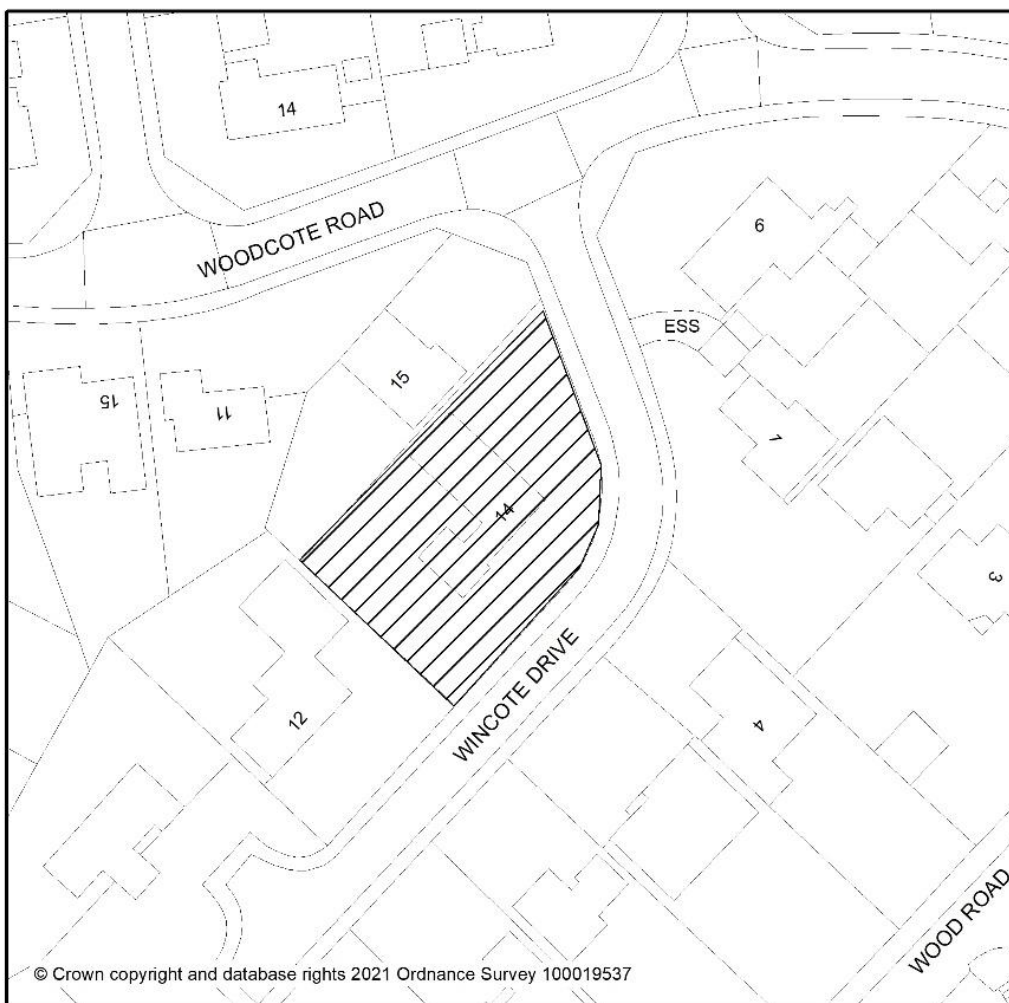
9.0 Conclusion

9.1 On balance, the extension would not have an unreasonably negative impact on the character of the area due to the existing fence line and street scene. The design, scale and appearance of the development will respect and relate to Wincote Drive. Sufficient parking and amenity space is provided to support the property. The development would not have any adverse impact on neighbour amenity.

10.0 Detail recommendation

10.1 Grant planning permission, subject to the following conditions:

- Build in line with Tree plan to protect the preserved tree
- Remove Permitted Development rights to convert the garage
- Matching materials



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 13 July 2021
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Planning application no.	21/00213/FUL	
Site	17 Cranmere Avenue, Wolverhampton, WV6 8TR	
Proposal	Proposed First Floor Side and Rear Extensions	
Ward	Tettenhall Regis;	
Applicant	Mr H Sapkota	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive 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 site comprises of a large detached dwelling, located within a street scene of similar properties, in an area which is predominantly residential. The houses are located on large plots.

3.0 Application details

3.1 The proposed extension comprises of a first floor side extension, first floor rear extension, and ground floor access extension to the front of the property.

3.2 The first floor side extension projects slightly forward of the principle front elevation, by approximately 1m, which is directly above the existing garage, and remains flush with the existing rear elevation. The first floor extension to the rear, is directly above the existing ground floor extension at the rear, projecting out approximately 2m. The ground floor front extension, infills a small area between the garage and the projecting feature gable.

4.0 Relevant policy documents

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

5.0 Publicity

- 5.1 One objection/request to speak at planning committee.
- Loss of light to side facing windows

6.0 Legal implications

- 6.1 There are no legal implications arising from this report KR/01072021/B

7.0 Appraisal

- 7.1 Design

The proposed extension has been suitably designed in keeping with the existing property and those around in the street scene.

Layout

- 7.2 The property has ample garden space and parking to support both the extension and its usage, which will increase the number of bedrooms from 4 to 5 and size of bedrooms.

Neighbour Amenity

- 7.3 The proposed extension would be clearly visible from neighbouring properties. The property along the north/eastern boundary to the side (No19), would be affected by the first floor rear extension, which would be visible from the rear garden area. The neighbour along the north/western elevation (No.15) would be affected by the first floor side extension and the first floor rear extension.
- 7.4 The first floor rear extension is set at sufficient distance away from both boundaries, so as to have no significant impact on outlook and light, and would not appear overbearing or oppressive, from both neighbouring properties or gardens. However the first floor side extension would be located so as to block light accessing two high level ground floor windows along the side to the lounge area of No. 15. This room has been assessed and there are secondary windows to this room along the frontage and to the rear, which provide another means of light and outlook for this habitable room. Therefore, the impact to the small side facing windows would not be significant enough to warrant amendment to the scheme or refusal, due to another source of outlook/light. Therefore, there would be no significant impact to neighbouring amenities.

8.0 Conclusion

- 8.1 The proposed development has been suitably designed in keeping with both the existing property and those surrounding. With a sufficient amount of amenity to support the

extension, and with no significant impact on neighbouring amenities, the proposal is compliant with planning policy subject to conditions for matching materials.

9.0 Detail recommendation

9.1 Grant subject to the following conditions:

- Matching materials



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 13 July 2021
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Planning application no.	20/01584/OUT	
Site	Land East Of 86 Arthur Street, Parkfield, Wolverhampton.	
Proposal	New Residential Development (13No. dwellings indicative) matters for consideration Access to the site only. (re-submission19/00391/OUT)	
Ward	Blakenhall;	
Applicant	W. G. & M. Marshall Ltd	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive 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 site consists of a redundant piece of land located at the end of Arthur Street, between existing industrial units and a chalet development. The site can be accessed on foot and vehicle from Arthur Street (residential) and Cockshutts Lane (industrial). The site has some tree coverage.

3.0 Application details

3.1 The proposal is for outline permission for access only, for 13 residential dwellings (indicative layout provided). Access is off Thompson Avenue, along Cockshutts Lane which is gated, and provides access to keyholders outside of business hours associated with the current commercial businesses accessed off Cockshutts lane.

3.2 This application is a resubmission of application 19/00391/OUT which was refused by planning committee for the following reason:
The detail submitted failed to demonstrate that vehicular and pedestrian access to the proposed site could be achieved, with respect to highway and pedestrian safety. Insufficient detail included required road width, parking for existing commercial units which would be displaced by required alterations to access road, parking along the access which could also restrict vehicular accessibility, street lighting, and secure gated entrance. Policies UDP AM9, AM12 & AM15, BCCS TRAN4.

3.3 The applicant has submitted the scheme again with additional detail such as a vehicle swept path analysis, and section thru of the development with respect to the adjoining chalet park, to display the massing in relationship to the chalets.

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)

5.0 Publicity

5.1 Petition containing 84 signatures, with no reasons for objection.

5.2 Six letters of objection (including an MP and two Councillors) one request to speak:

- Overdevelopment
- Wildlife;
- Access;
- Traffic;
- Air quality;
- Noise Disturbance;
- Loss of trees;
- Fire risks;
- Traffic congestion;
- Privacy;
- Loss of green site and wildlife;
- Loss of use of land for parking;
- Air quality due to extra traffic;
- Security;
- Fear of crime if the security gates are to be removed.
- Damage to road/kerb
- Fly Tipping
- Height of proposed dwellings overbearing
- Access to Electric Sub Station and Sewage Pump for Chalet Park.

6.0 Consultees

6.1 **Transportation** – no objections to the retention of the existing security gates subject to conditions that the existing access arrangements remain in place, the issue of keys to all individuals and groups who will require access, i.e. emergency services, upgraded street lights and improved pedestrian access. subject to conditions with respect to the retention of entrance security gates, upgraded street lighting and improved pedestrian access.

6.2 **Ecology** - While generally satisfactory the site survey work for the Appraisal was undertaken in June and October 2018 and the Desk Study in October 2018. As the survey work is over two years old it can no longer be relied on and should be updated. A new site walkover survey should be sufficient to update the Appraisal. I would not regard a new bat survey or a refresh of the Desk Study as necessary. Generally the recommendations in the Appraisal with any revisions following the updated survey work should be followed.

6.3 **Trees** – no objections.

6.4 **Community Safety** – no objection subject to retention of security gates.

6.5 Environmental Health –

Condition a full site investigation, due to land gases. As such, we would need an intrusive investigation and certainly some gas protection (membranes or sub-floor ventilation) to be installed into new dwellings.

The site is next to commercial/industrial units and we have had complaints in the past from a resident of Thompson Ave about access to and from Cockshutts Lane outside normal working hours, therefore I would suggest a noise assessment is carried out regarding the industrial units and a noise insulation scheme to include glazing and ventilation.

6.6 **Public Protection** – no objection subject to keys to the security gate being issued to future occupiers of the dwellings.

6.7 **Building Control** – I have looked at the schemes and I don't have any immediate concerns, there is sufficient distance to deal with unprotected area from windows / doors, the layout and access from a fire fighting perspective all appear to work as well.

6.8 **Fire** – No objections subject to compliance with all B5: Access and facilities for the fire service.

7.0 Legal implications

7.1 The legal implications arising from this report are set out below KR/01072021/C

8.0 Appraisal

- 8.1 The application site is a piece of redundant land, between an industrial estate and a chalet park, in an area which is predominantly residential, therefore, the principle of residential development is acceptable.
- 8.2 The site also bounds a site which is used for industrial units; therefore, a noise report should be conditioned in order to mitigate against any noise emulating from the units, which could cause disturbance to future occupants of the proposed development.
- 8.3 The site is currently overgrown, with self-set trees and shrubbery. The trees are not worthy of retention, and there is no objection to their removal, subject to a landscaping condition. An ecology report is also positive, with no detriment to wildlife subject to an updated report/conditions.
- 8.4 The indicative layout is considered acceptable with suitable separation distances from surrounding development, with no significant detriment to neighbouring amenities. Other concerns raised from neighbours such as disturbance, fire/gas safety have also been considered. A construction method statement can be conditioned, fire/gas safety would be considered during the building regulation application and Environmental Health have confirmed that they are no concerns.
- 8.5 The chalet park tenants are concerned with respect to access to the "Sewage Pump & Electric Sub Station" The applicant has confirmed that these are located outside of the Planning Application site, adjacent to 'the Rear Garden of Plot 10 & Chalet No. 16'. Full access will be maintained for the Landlord and Utility Company.
- 8.6 The application is for outline permission and access to the site only, with all other matters reserved. The initial application proposed access from Arthur Street, which is a terraced street. This street is already heavily subscribed with existing parking taking place on both sides of the street, making vehicle access to and from the proposed development site difficult. The additional traffic generated by the proposed development would add to these existing concerns of Arthur Street, which was also one of the key objections from neighbouring properties and would also increase the amount of traffic that would be entering/exiting the Arthur Street/Dudley Road junction, which was unacceptable.
- 8.7 The applicant now proposes vehicular access to the site from Cockshutts Lane. This highway currently serves an industrial site, Jewish Burial Ground, and a storage area. The access has gates which can be closed between certain hours, as Cockshutts Lane had been subject to anti-social behaviour and fly tipping in the past.
- 8.8 Highways have confirmed that the security gate can be removed completely with improved street lighting, replaced with a residential form of security gate or retained in its current form. The additional information submitted confirms that the site can be accessed without any significant detriment to pedestrian or vehicular safer. Traffic Regulation Orders would be necessary in order to prevent parking along the access

road, and the vehicular access to Arthur Street to be blocked off, with access for pedestrians and cyclists only these can be conditioned. The access is considered to be acceptable.

- 8.9 Parking is considered to be sufficient for both the new development and the existing chalet park. Owners of the chalet park have objected as they currently use the site for overspill parking. The applicant has confirmed, however, that when the Chalet owners agree to move onto the 'Chalet Site' as a 'Tenant' that they are either designated a 'Parking Space on the Chalet Site' or 'A Garage' (if one is available). The Chalet owners do not have permission to park on the site for this planning application, as it is not allowed, therefore, there would be no loss of parking to the Chalet Park.
- 8.10 Neighbours have raised concerns regarding security, fly tipping, and antisocial behaviour within the access area. Gates were erected by the Council in order to mitigate against this type of behaviour. The applicants propose to retain the gate and issue access control 'Keypad and Fobs' for vehicle and Pedestrian gates. A telecom panel to each house and industrial unit for delivery vehicles / post access etc, all of which would need to be conditioned. Therefore, the security for this access would still be in situ, and along with the natural surveillance once the development is completed and occupied, should prevent this type of activity taking place again.
- 8.11 The proposal would trigger the requirement for a contribution to public open space, and affordable housing. Off-Site Public Open Space Contribution £39,560.00 pounds index – linked towards the management maintenance and improvement of the paths and play area at Bromley Street open space or improvements to Graiseley recreation ground or to enhance sports facilities in the city, and at least one of the total number of dwellings to be provided on the development shall be an Affordable Housing Unit.

9.0 Conclusion

- 9.1 Subject to conditions and a Section 106 Obligation the proposal is acceptable and in accordance with the Development Plan.

10.0 Detail recommendation

- 10.1 Grant planning application 20/01584/OUT subject to:

Section 106 Obligation for:

- Payment of £39,560 index-linked for the contribution to public open space;
- One Affordable Housing Unit.

Any necessary conditions to include:

- Contaminated land/Intrusive Site Investigation (Coal/Landfill Gas);
- Noise Report/Mitigation
- Levels survey;
- No more than 13 houses;
- Appropriate pedestrian crossing points on Cockshutts Lane for pedestrian safety;
- External lighting;

- Submission/Implementation of Landscaping;
- Drainage;
- External materials;
- Construction Method Statement;
- Electric vehicle charging points;
- Security Gates with appropriate keys to be issued to occupants;
- Parking, cycle and motor cycle parking;
- Closure of vehicular access to Arthur street, to be used for cyclists and pedestrians only
- Renewables (10%);
- Updated Ecology report & recommendations;
- Street lighting;
- Provision of bat boxes;
- Bat friendly external lighting.
- Traffic Regulation Orders



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 13 July 2021
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Planning application no.	20/01346/FUL and 20/01324/LBC	
Site	"Canalside", Land at Union Mill Street, Horseley Fields	
Proposal	Comprehensive redevelopment of the Union Mill and Lower Horseley Fields site, including demolition and works in a conservation area, for the change of use and provision of 366 dwellings, and non-residential floor space at 16 and 16a Union Mill Street, car parking, landscaping and other associated works	
Ward	Heath Town;	
Applicant	Union Mill Street Wolverhampton SPV Ltd	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive 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 Delegated authority to grant applications 20/01346/FUL and 20/01324/LBC subject to receipt of an acceptable ecology report, conditions and a s106 agreement.

2.0 Background

- 2.1 Planning Committee resolved on 25th May 2021 to give the Director of Regeneration delegated authority to grant application reference 20/01346/FUL subject to:

1. Completion of a Section 106 Agreement to include:

For the whole development:

- Highway works, including £6,000 for traffic regulation orders

If viable:

- 25% affordable housing

- £200,000 Public Open Space Contribution to be spent on improvement, provision and maintenance of Lower Horseley Fields canal access and open space at East Park

If not viable:

A reduction in affordable housing and public open space contribution, commensurate with the lack of viability with the reduction applying on a pro-rata basis to all dwellings ready for occupation within three years of the date that a lack of financial viability is demonstrated and the full requirement applying on a pro-rata basis to all those that are not ready for occupation at that time.

2. No objections raised by the Council's Landscape Architect Team in respect of the amended site and landscape plan.
3. Receipt of an acceptable ecology report;
4. No overriding objections from outstanding consultees;
5. Receipt of acceptable amended drainage proposals;
6. Any necessary conditions to include:
 - Phasing / Construction Phasing Plan
 - Boundary treatments, including retaining walls
 - External materials including hard surfacing materials
 - Provision of a right-hand turn lane from A454 Horseley Fields, the details of which are first to be agreed with the local planning authority and the approved scheme provided in advance of the occupation of 215th dwelling (to include dwellings off Union Mill Street) at the site
 - Contaminated land remediation
 - Drainage
 - Demolition and Construction Method Statement (to include hours of demolition and construction)
 - Environmental Management Plan
 - Levels
 - Car park and car sharing club management plan
 - Landscaping
 - External Materials
 - Large scale architectural details
 - Sample panels of the external materials
 - Cycle parking and pedestrian routes, including a management plan for the use and opening and closing of any access gates within the site and at key entrance points
 - Cycle storage
 - Bin stores and waste management plan
 - Plant and machinery details
 - Electric vehicle charging points
 - External lighting

- Provision and retention of car parking
- Travel Plan
- Implementation in accordance with noise report: Acoustic glazing and ventilation. Internal noise monitoring to take place prior to occupation of any dwelling.
- 10% Renewable Energy
- Noise insulation for all plant and heating equipment
- Hours of construction and demolition
- Targeted recruitment and training
- Management company for external communal areas
- Implementation of landscaping
- Implement in accordance with ecology recommendations
- Provision of signage to and on the towpath
- Surveys and assessments for the canal wash wall
- Remove permitted development rights for the installation of windows in the rear (west facing) elevations of the three proposed houses (labelled “new build one”)

2.2 Planning Committee also resolved to grant application reference 20/01324/LBC subject to any necessary conditions including external materials and large-scale architectural details.

3.0 Application site

- 3.1 This is a 2.01 ha. site, which is bounded by Horseley Fields (A454) to the south, the Birmingham Canal to the north and east, residential development to the west and a telephone exchange building and yard to the south west. On the opposite side of the canal, to the north, is the former Crane Foundry site and the junction with the Wyrley and Essington Canal. On the opposite side of Horseley Fields is Wulfruna Coal Yard and other commercial development.
- 3.2 Parts of the site are 3 metres higher than the canal, with walling and retaining walls abutting the canal and at the north western part of the site, the former Cheese and Butter Warehouse.
- 3.3 The site is partially located within the Union Mill conservation area, covering the north western and the south eastern areas of the site.
- 3.4 The north western part of the site includes historic former mill and industrial buildings, including the former Cheese and Butter Warehouse (Grade II listed); and 16A Union Mill Street (Grade II listed). There are three locally listed buildings within the same area: 16B Union Mill Street; and two buildings known as the slip dock (Units 9-18). There are other buildings, some of which are vacant, and others used for employment purposes, including vehicle repairs.
- 3.5 Historically the remainder of the site contained the Edward Vaughan Stamping Works, Shakespeare Iron Foundry and the Griffin Works, amongst other industrial operations. The majority of the buildings within this part of the site were demolished approximately

twenty years ago, with the exception of a modern, brick and profiled steel clad, single storey building. This part of the site has been used by Dunton Environmental Limited since 2016 as a waste treatment hub. Dunton Environmental Limited has temporary planning permission to operate a waste transfer station on the site, but they are required to vacate the site, remove all plant and equipment and complete the required site remediation works by 18.09.2021.

- 3.6 Vehicular access is from Union Mill Street. There is also a vehicular access from the A454.

4.0 Application details

- 4.1 Applications for planning permission and listed building consent have been submitted.
- 4.2 20/01346/FUL - 366 dwellings, comprising 359 apartments and seven houses, which will be a mix of 1, 2 and 3 bedroomed properties. 266 sq.m. of flexible non-residential floor space within 16 and 16a Union Mill Street, comprising Class E Commercial, Business and Service uses and Class F.2 Local Community uses. 16 Union Mill Street would be used as a site management office.
- 4.3 Ten new buildings, ranging from two to six storeys are proposed. The buildings would be constructed predominately from brick, glazing and modern cladding systems.
- 4.4 The two listed buildings would be retained. The former Cheese and Butter Warehouse would be converted to twelve apartments and 16a Union Mill Street would be converted to a commercial 'hub' providing small scale work space within the residential focused scheme. The locally listed slip dock buildings would be converted for residential use, including eleven apartments, while 16b Union Mill Street would be demolished and replaced with a modern, three storey residential building, comprising four houses.
- 4.5 The layout of development follows the historic fan like arrangement of the Union Mill site. Simple rectilinear building footprints are proposed, and the designs are contemporary and modern but draw inspiration from the historic buildings within the area. There would be new pedestrian routes, including from the existing canal side path which currently terminates at the north-western corner of the site. The building line to the north pulls back to create new public spaces and so allows for improved connectivity and views to and from the canal, offering a place for recreation and relaxation for the public and residents of the new residential accommodation. The smaller scale buildings would be located within the north western part of the site, although the exception to this is a new apartment block (labelled "new build four") which is six storeys.
- 4.6 Although a bridge across the canal to the former Crane Foundry site is not proposed, there is sufficient space to provide one in the future.

- 4.7 Private, semi-private and public landscaping, including new pedestrian improvements and spaces around the canal are proposed. Some of the buildings include balconies and roof gardens.
- 4.8 Vehicle access to the north western part of the site would be from Union Mill Street. Also, a one-way system into and out of the site from A454 Horseley Fields is proposed. A further emergency access is shown from A454 at the south eastern end of the site.
- 4.9 278 secure cycle spaces and 88 car parking spaces (with 10% E.V charging and 2no car club spaces) are proposed. The proposals include a resident car sharing club which includes two vehicles, to be managed by the management company.
- 4.10 Boundary treatments to A454 Horseley Fields includes soft landscaping, and metal fencing.
- 4.11 The development is proposed to be constructed in four phases. The first phase of development would comprise works within the north western part of the site, off Union Mill Street. The three later phases (2, 3 and 4) would follow, with the final phase (4) comprising an area of land at the south-eastern part of the site.
- 4.12 20/01324/LBC proposes partial demolition works and the alteration, extension and conversion of the Cheese and Butter Warehouse to twelve apartments and 16a Union Mill Street to non-residential uses, including Class E Commercial, Business and Service uses and Class F.2 Local Community uses.

5.0 Recent Planning history

- 5.1 20/00786/RC. 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. Granted 26.01.2021.
- 5.2 15/00305/FUL. Waste treatment hub and site remediation. Granted 18.09.2015.

6.0 Relevant policy documents

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 The Development Plan
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
Wolverhampton City Centre Area Action Plan
- 6.3 Supplementary Planning Document:

Union Mill Conservation Area Appraisal and Management Proposals (Approved March 2007).

7.0 Publicity

7.1 Two representations of support and one objection have been received. Comments summarised as follows:

- Will be good for Wolverhampton, creating a much more positive impression for those visiting or passing through on the train;
- May improve the health and welfare of existing residents;
- Possible disturbance from construction works;
- Not demonstrated that there would be adequate residential amenity for future residents;
- Likely to generate noise and other complaints against adjoining businesses which could disrupt their operation;
- Need further noise assessments and details of noise mitigation measures to demonstrate acceptable levels for future residents;
- Council required to consult the HSE under the COMAH/hazardous substances regulations.

8.0 Consultees

8.1 Historic England - No objection subject to acceptable external materials, sections, large scale architectural details and external material sample panels.

8.2 Environmental Health - No objection subject to conditions including construction management plan, contaminated land remediation, plant and machinery, hours of demolition and construction, bin stores and refuse collection management, noise and air quality mitigation.

8.3 Transportation - No objection subject to; £6,000 for an assessment / improvement to parking restrictions; conditions requiring, waste management plan, car park management plan, agreement and implementation of a right-hand turn lane on Horseley Fields A454 into the site.

8.4 Environment Agency – No objection subject to conditions including contaminated land remediation and submission of verification reports.

8.5 Victorian Society – Object to the proposed loss and replacement of the locally listed building at 16B Union Mill Street. They state that 16B is a significant historic building, an important survival on this historic site and which should not be demolished. It should be retained, restored and brought back into use. They also object to the proposed layout of Blocks 01 to 06 and recommend that the blocks are arranged to better reflect this

traditional canalside building pattern. There is no objection to the proposals for the listed buildings at 16a Union Mill Street and the Cheese and Butter Warehouse that are the subject of the listed building consent application 20/01324/LBC.

- 8.6 Severn Trent Water – No objections subject to a condition requiring sustainable drainage.
- 8.7 West Midlands Fire Service – No objection subject to detailed comments in respect of the fire safety.
- 8.8 Network Rail – No objection and would like to see the provision of good cycle and walking routes to the station.
- 8.9 Canal and Rivers Trust – No objection but make comments as follows:
- Drainage details, external lighting, improved signage to and on the towpath, construction environmental plan management plan, surveys and assessments to ensure that the canal washwall is protected, and site remediation should be conditioned;
 - A financial contribution of £30,000 towards improvements to Lower Horseley Fields access from A454, to be secured through a s106 agreement;
 - Ecology survey should be extended;
 - Improved design for the junction of the proposed pedestrian ramp with the water's edge at the north-western corner of the site;
 - Omit gates at the north-western corner of the site.
 - Recommend mooring facilities including electricity, water and Wi-Fi.
- 8.10 Staffordshire County Council (flood risk / drainage comments) – No objection subject to conditions requiring the implementation of the submitted flood risk scheme.
- 8.11 Police – Object and state that the layout of development is too permeable, and some car parking areas are not overlooked, with communal seating areas likely to attract antisocial behaviour. Recommend against pedestrianisation of the canal side and suggest making this development into two; Union Mill area being a cul-de-sac and the remaining area having restricted vehicle and pedestrian access. All gable ends to include windows for surveillance and cycle stores to be with apartment blocks.
- 8.12 Health and Safety Executive Planning Advice – The development does not intersect a pipeline or hazard zone. HSE Planning Advice does not have an interest in this site.

9.0 Legal implications

- 9.1 The legal implications arising from this report are set out below SE/010782021/F.

10. Appraisal

- 10.1 Since these applications were reported to Planning Committee, the Victorian Society have confirmed that they object to the proposed loss and replacement of the locally listed building at 16B Union Mill Street and the layout of Blocks 01 to 06 which relate to the full

application 20/01346/FUL. They do not object to the proposals which form a part of the listed building consent application.

- 10.2 The main issue is the effect of the proposed loss and replacement of the locally listed building 16B Union Mill Street and the layout of Blocks 01 to 06 on the character and appearance of the area in relation to designated and non-designated heritage assets, including any countervailing public benefits that may exist.
- 10.3 The site is located within Union Mill Conservation Area. This is a designated heritage asset and among other things derives its heritage significance from the buildings, structures and sites of the historic working environment that grew up around the junctions of two 18th century canals and three nineteenth century railways. This includes the former Cheese and Butter Warehouse and 16A Union Mill Street, which are both Grade II listed buildings and designated heritage assets. There are three locally listed non-designated heritage assets within the site, including 16B Union Mill Street and the slip dock buildings (Units 9-18). The site is outside of, but immediately to the north of a boundary with Bilston Canal Corridor Conservation Area. This is also a designated heritage asset.
- 10.4 16B is a former wharf Manager's house. It is a narrow rendered three storey building forming the east side of a courtyard which is accessed from Union Mill Street and bounded by the Cheese and Butter Warehouse to the north, 16A Union Mill Street to the south and some small scale commercial buildings to the west. Together these form a courtyard with access from Union Mill Street. 16B is as stated in the Union Mill Conservation Area Character Appraisal and Management Plan (2007) 'though much altered, contributes to the character of the conservation area'.
- 10.5 Although much altered 16B, in context with the Conservation Area and proximity to the Cheese and Butter Warehouse, 16A Union Mill Street and other designated and non-designated heritage assets, provides an important link to the past and helps reveal the heritage significance of the area.
- 10.6 The proposal includes for the total demolition of 16B and therefore at a fundamental level, links to the past heritage significance of the area would be lost. This would have a harmful effect on the character and appearance of the Union Mill conservation area and the setting of adjacent listed buildings and other designated and non-designated heritage assets.
- 10.7 16B has been vacant and unused for many years, and a Structural Appraisal, which accompanies these applications, has found that 16B lacks structural integrity and the scope of the damage results in the building being beyond the position of repair and restoration. This provides weight for allowing the demolition of the building to allow for the safe redevelopment of the site.

- 10.8 The planning and heritage statement, which supports the application, notes that the visual contribution of 16B is limited due to the extensive alterations and internal and external damage, however there are elements of the building that make a positive contribution to the area. These features include its narrow form bounding Union Mill Street and its large façade enclosing the Union Mill courtyard; the only features that are fully visible from public/semi-private spaces and that currently form key features for its interpretation.
- 10.9 The proposed replacement building would be sited in the same location and be a similar scale as the existing building. It takes its design cues and siting from the positive features of 16B. Incorporating elements of the property's historic form in combination with the modern amendments to provide a visual representation of the site's redevelopment and heritage.
- 10.10 The demolition of 16B would harm a relatively small part of the wider Union Mill conservation area and the settings of the listed buildings. 16B is a non-designated heritage asset, which is representative of the lesser significance it holds as a component of the wider area. Consequently, the scope for potential harmful effects is reduced. In this context, it would not substantially erode or lead to a total loss of heritage significance for those designated heritage assets concerned and would generate less than substantial harm.
- 10.11 Nonetheless, Paragraph 193 of the National Planning Policy Framework (NPPF) is clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to a heritage asset's conservation. Importantly, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Thereafter, Paragraph 196 of the NPPF is clear that less than substantial harm should be weighed against the public benefits of the proposal.
- 10.12 In this context, the proposed development would put a dilapidated site to beneficial use and give rise to socio-economic benefits pursuant to Paragraphs 80 and 118 of the NPPF. The proposals would make a vital contribution to the regeneration of the City of Wolverhampton, and the delivery of the Canalside Quarter. The proposals would create a sustainable residential community close to the City Centre and transport links, and the design makes the most of the canal side setting, including high quality buildings and public realm improvements, with good connections to surrounding services and facilities providing an attractive place for people.
- 10.13 Altogether, the proposal would generate public benefits that carry significant weight. Consequently, for the purposes of Paragraph 196 of the NPPF, these public benefits would outweigh the great weight derived from the less than substantial harm imposed by Paragraph 193 of the NPPF.

- 10.14 Paragraph 197 of the NPPF requires a similar balanced judgement in the context of non-designated heritage assets, in this case including 16B and the slip dock buildings. Consequently, the relevant parts of the forgoing assessment would lead to the same conclusion, insofar as there would be harm to the setting of the slip docks buildings in a similar manner to that of other designated heritage assets, but the harm caused to those buildings and to 16B, by virtue of its total demolition, would be suitably countervailed by the provision of the replacement building and public benefits of the proposal, which would outweigh the identified harms.
- 10.15 The proposed residential blocks 01 to 06 within the Lower Horseley Fields site, are laid out such that they radiate from the canal with spaces between them. This arrangement seeks to build upon the historic fan like arrangement to the Union Mill site. Simple rectilinear building footprints would be used, as is a traditional form. The strong building line creates a legible street pattern which frames views of the canalside from both Lower Horseley Fields and from within the site. This benefits the character and appearance of the area and wellbeing for future residents.
- 10.16 The building line to the north of the Lower Horseley Fields site pulls back to create opportunities for the creation of new public spaces and public realm and makes the most of the canalside location.
- 10.17 Although traditionally buildings by historic canals are generally built in parallel and often linked together beside the canal itself, some with spurs behind, the aforementioned benefits of the proposed layout in respect of buildings 01 to 06, outweigh any harm to the character and appearance of the Union Mill Conservation Area and other designated and non-designated heritage assets.
- 10.18 Overall, the proposal would preserve the character and appearance of the area in relation to designated and non-designated heritage assets, with a sufficient level of countervailing public benefit to make the proposals acceptable in planning terms.
- 10.19 The proposal would be in accordance with saved Policies HE1, HE3, HE4, HE5, HE6, HE17, HE19, HE20, D4, D5, D6, D7, D8, D9 of the Wolverhampton Unitary Development Plan 2006; Policies CSP4, ENV2 and ENV3 of the Black Country Core Strategy 2011; and Paragraphs 196 and 197 of the Framework.

11. Conclusion

- 11.1 This development proposal would make a vital contribution to the regeneration of the City of Wolverhampton, and the delivery of the Canalside Quarter. The proposals would create a sustainable residential community close to the City Centre and the design makes the most of the canal side setting, including high quality buildings and public realm improvements, with good connections to surrounding services and facilities providing an attractive place for people. The proposal would preserve the character and appearance of the area in relation to designated and non-designated heritage assets, with a sufficient level of countervailing public benefit to make the proposals acceptable in planning terms.

12. Detail recommendation

12.1 Delegated authority to the Director of Regeneration to grant planning application 20/01346/FUL subject to:

1. Completion of a Section 106 Agreement to include:

For the whole development:

- Highway works, including £6,000 for traffic regulation orders

If viable:

- 25% affordable housing
- £200,000 Public Open Space Contribution to be spent on improvement, provision and maintenance of canal access at Lower Horseley Fields off A454, and East Park

If not viable:

A reduction in affordable housing and public open space contribution, commensurate with the lack of viability with the reduction applying on a pro-rata basis to all dwellings ready for occupation within three years of the date that a lack of financial viability is demonstrated and the full requirement applying on a pro-rata basis to all those that are not ready for occupation at that time.

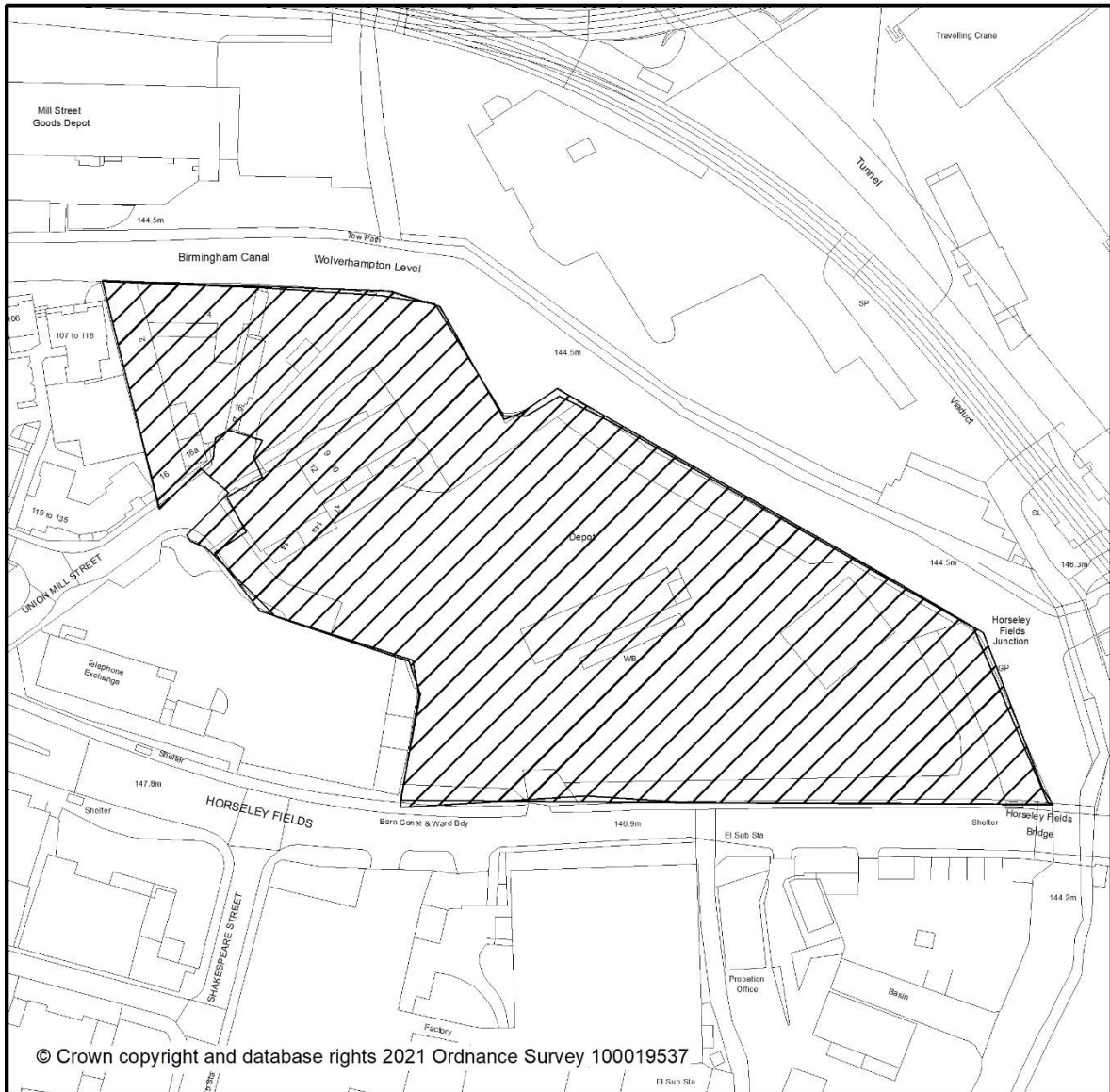
2. Receipt of an acceptable ecology report;

3. Any necessary conditions to include:

- Phasing / Construction Phasing Plan
- Boundary treatments, including retaining walls
- External materials including hard surfacing materials
- Provision of a right-hand turn lane from A454 Horseley Fields, the details of which are first to be agreed with the local planning authority and the approved scheme provided in advance of the occupation of 215th dwelling (to include dwellings off Union Mill Street) at the site
- Contaminated land remediation
- Drainage
- Demolition and Construction Method Statement (to include hours of demolition and construction)
- Environmental Management Plan
- Levels
- Car park and management plan
- Landscaping
- External Materials
- Large scale architectural details
- Sample panels of the external materials
- Cycle parking and pedestrian routes, including a management plan for the use and opening and closing of any access gates within the site and at key entrance points
- Cycle storage
- Bin stores and waste management plan

- Plant and machinery details
- Electric vehicle charging points
- External lighting
- Provision and retention of car parking
- Travel Plan
- Implementation in accordance with noise report: Acoustic glazing and ventilation. Internal noise monitoring to take place prior to occupation of any dwelling.
- 10% Renewable Energy
- Noise insulation for all plant and heating equipment
- Hours of construction and demolition
- Targeted recruitment and training
- Management company for external communal areas
- Implementation of landscaping
- Implement in accordance with ecology recommendations
- Provision of signage to and on the towpath
- Surveys and assessments for the canal wash wall
- Remove permitted development rights for the installation of windows in the rear (west facing) elevations of the three proposed houses (labelled “new build one”)

12.2 20/01324/LBC – Grant subject to any necessary conditions including external materials and large-scale architectural details.



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