

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

**Venue** Council Chamber, 4th Floor, Civic Centre

## 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

If you have any queries about this meeting, please contact the Democratic Services team:

**Contact** Donna Cope  
**Tel/Email** Tel 01902 554452 or email [donna.cope@wolverhampton.gov.uk](mailto:donna.cope@wolverhampton.gov.uk)  
**Address** Democratic Services Civic Centre, 1<sup>st</sup> floor, St Peter's Square,  
Wolverhampton WV1 1RL

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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               | <b>Apologies for absence</b>   |
| 2               | <b>Declarations of interest</b>  |
| 3               | <b>Minutes of the previous meeting</b> (Pages 3 - 8)<br>[To approve the minutes of the previous meeting as a correct record]                 |
| 4               | <b>Matters Arising</b><br>[To consider any matters arising]  |
| 5               | <b>Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton</b> (Pages 9 - 14)<br>[To consider the planning application]                         |
| 6               | <b>Land North East of Junction with Dudley Road, Parkfield Road, Wolverhampton</b> (Pages 15 - 20)<br>[To consider the planning application] |
| 7               | <b>Open Space Bounded By Rushall Road, Northwood Park Road, Broadway, Bushbury</b> (Pages 21 - 28)<br>[To consider the planning application] |
| 8               | <b>Hill Avenue Academy, Hill Avenue, Wolverhampton, WV4 6PY</b> (Pages 29 - 36)<br>[To consider the planning application]                    |

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> Minutes - 14 September 2021
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## Attendance

### Councillors

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

### Employees

Stephen Alexander	Head of City Planning
Jennifer Nicholds	Planning Officer
Phillip Walker	Senior Planning Officer
Ragbir Sahota	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**

Apologies for absence were received from Councillors Asha Mattu and Jas Dehar.

**2        Declarations of interest**

Councillor Rashpal Kaur declared a non-pecuniary interest in respect of agenda item 7 as a ward member of Bilston East however, the Chair confirmed that this was not required.

**3        Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 13 July 2021 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **20/00305/FUL - Bowmans Harbour, Planetary Road, Wolverhampton**

The Committee considered a report regarding 20/00305/FUL - Erection of a solar farm comprising of 11.5ha of photo-voltaic panels, associated infrastructure, access road and battery storage and installation of boundary fencing and closed-circuit television security cameras.

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

1. A further four objections had been received, raising concerns relating to traffic, resident amenity and health impact, lack of public consultation, fire risk, landscape and ecological harm.
2. Responses had been received from Western Power and Cadent, both confirming they had no objections to the proposal.

Mr Kevin Stringer, Deputy CEO of the Royal Wolverhampton NHS Trust, addressed the Committee and spoke in support of the application.

Councillor Inston, Chair of Planning Committee, welcomed the application and moved the recommendations. Councillor Page commended the partnership work between the Local Authority and the Royal Wolverhampton NHS Trust, and seconded the recommendations.

In response to concerns regarding carbon balance due to the loss of tree and shrub coverage, Philip Walker, Senior Planning Officer stated that great consideration had been given to the matter and specialists had been consulted throughout. He confirmed that a Landscape Strategy Plan had been agreed and that the mitigation proposals were satisfactory. He further stated that there would be a biodiversity net gain.

In response to concerns regarding the contaminated ground at the site, the Senior Planning Officer assured members that the applicant had demonstrated satisfactorily that the development could be carried out without disturbing the contaminated ground.

Councillor Andrew Randle welcomed the application.

Resolved:

Delegated authority to the Director of Regeneration to grant planning application 20/00305/FUL subject to:

1. No overriding objections from outstanding consultees.
2. Any necessary conditions to include:
  - Construction Management Plan
  - Notification to the local planning authority of the date of commencement of works
  - The development to be retained for a period of not more than 25 years from the date of commencement of the development
  - Within six months of the end of the 25 year period the solar panels shall be decommissioned and all related above and below ground structures shall be removed from the site
  - Within 24 years of the date of commencement or six months prior to the decommissioning of the panels, whichever is sooner, a decommissioning method statement is to be submitted to and approved by the local planning authority. The site shall be decommissioned and restored in accordance with the decommissioning method statement
  - If any of the individual groups (arrays) of solar panels cease to export electricity for a period of six months then a scheme for restoration, including proposals for the removal of the solar panel and restoration of the land, shall be submitted to and agreed in writing by the local planning authority.
  - Works to stop if any visibly contaminated or odorous material, or structures of any sort are encountered during the development and remediation works to be agreed with the local planning authority and implemented accordingly
  - Tree protection
  - The local planning authority shall be notified in writing at least 5 working days before soil stripping is due to commence
  - Soil handling scheme for the development
  - Hours of construction
  - Proposed levels of land
  - External Lighting
  - Implementation of mitigation proposals and recommendations of landscape and visual impact assessment and landscape strategy plan
  - Implementation of mitigation proposals and recommendations of ecology surveys and Ecological Management Plan
  - Noise attenuation for external plant and machinery
  - Retain existing landfill monitoring infrastructure and continue to provide access for the Environment Agency to this infrastructure

6 **21/00505/FUL - 14 Wincote Drive, Wolverhampton, WV6 8LR**

The Committee considered a report regarding 21/00505/FUL - Demolition of existing garage and kitchen and erection of a single storey extension.

Members of the Committee felt that the proposals were unacceptable and Councillor Inston recommended that the application be refused.

Councillor Thompson seconded the recommendation.

Resolved:

That planning application 21/00505/FUL be refused for the following reason:

- Overdevelopment having a negative impact on the character and appearance of area.

**7 21/00799/FUL - 75 High Street, Bilston, Wolverhampton, WV14 0HH**

The Committee considered a report regarding 21/00799/FUL - Store extension.

Mr Gurmail Mandier addressed the Committee and spoke in opposition to the application.

Mr Gursimran Singh Kler addressed the Committee and spoke in support of the application.

Councillor Page felt that the proposals were acceptable and moved the recommendations.

Councillor Butt seconded the recommendations.

Resolved:

That planning application 21/00799/FUL be granted subject to a condition requiring the materials to match the existing and a note for information regarding the site being in a mining referral area.

**8 21/00631/FUL - Land North of 32 Laburnum Road, Stowlawn, Wolverhampton**

The Committee considered a report regarding 21/00631/FUL - Proposed conversion of approved detached dwelling house to, 2No one bed apartments.

Following a discussion regarding the outstanding Coal Mining Risk Assessment, Councillor Inston recommended that the application be deferred subject to the Coal Mining Risk Assessment outcome.

Councillor Muston seconded the recommendation.

Resolved:

That planning application 21/00631/FUL be deferred.

**9 21/01128/FUL - Garage Site Behind 73 Bridgnorth Road, Wolverhampton**

The Committee considered a report regarding 21/01128/FUL - Erection of two, 2 bedroom detached bungalows.

Ragbir Sahota, Planning Officer, reported that since the agenda had been published, an additional condition had been added to Paragraph 9 of the report, regarding tree protection measures.

Mr Jake Sedgemoor addressed the Committee and spoke in support of the application.

Councillor Inston recommended that the application be deferred until the outstanding flood risk assessment had been received by Members of the Planning Committee

Councillor Thompson seconded the recommendation.

Resolved:

That planning application 21/01128/FUL be deferred.

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CITY OF <b>WOLVERHAMPTON</b> COUNCIL	<b>Planning Committee</b> Tuesday, 16 November 2021
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<b>Planning application no.</b>	21/00048/OUT	
<b>Site</b>	Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton	
<b>Proposal</b>	Proposed Residential Development for one detached dwelling	
<b>Ward</b>	Oxley;	
<b>Applicant</b>	Mr Poonia,	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	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 This application site is a part of a triangular parcel of land which is nestled behind properties, fronting Eccleshall Avenue, Churchfield Road, and Beech Road. The land is accessed off Eccleshall Avenue, via an existing vehicular/pedestrian access. The land has been divided off into segments, some of which have garages and sheds. There is a Western Power Sub Station located along the shared access. The surrounding area is predominantly residential.

## 3.0 Application details

3.1 This is an outline application for one five-bedroom detached dwelling, accessed via the existing shared vehicular/pedestrian access. Matters for approval are access, layout and scale. Landscaping and appearance are reserved matters.

## 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 Eight letters of objection:

- Highway/Pedestrian Safety due to the narrow nature of the access and surrounding highway
- Disruption to neighbouring properties, noise from traffic and building.
- Loss of Privacy
- Loss of outlook
- Increase in volume of traffic
- Impact on the character of the residential area
- Loss of Natural Beauty/Wildlife
- Restrict Access to Other Parcels of Land
- Provides Security/Access to neighbouring properties
- Greenfield not Brownfield
- Out of character as all properties are semidetached no detached properties
- Access not wide enough especially for larger vehicles – Problems with fire service etc
- Access/Egress on Eccleshall Avenue not wide enough, risk to damage of cars parked on the highway
- Insufficient access to drainage/electricity
- Health/Safety to uses of the access

### 18 Letters of Support:

- Help prevent fly tipping
- Help prevent anti-social behaviour
- Increase Security
- Reduce Disturbance due to mis use of garages
- Tidy up an overgrown piece of land
- Prevent Vermin.

## 6.0 Consultees

### 6.1 **Transportation** – No Objections subject to conditions.

### 6.2 **Coal** – No Objection

### 6.3 **Western Power** –

Our network off Eccleshall Road provides over 100 properties with an electricity connection and approximately of 20% of those properties are registered with us as having an occupant that is medically sensitive to interruptions to their electricity supply. Our equipment has been established in accordance with current site conditions and there

is a concern that the change of use proposed will increase traffic over our underground cables, which may potentially impact on the integrity and security of our network affecting our ability to maintain supplies in accordance with our statutory obligations.

Remedial measures may be available, but we are concerned that these could constrict our ability to expand our network in support of the predicted increase in the use of electric vehicles and make it more expensive to install replace and maintain our underground cables when we are bound by legislation to run an economic network.

#### 6.4 Ecology

The Report is satisfactory and no further Ecological Assessments or Surveys are required before consideration is given to granting outline planning consent. The recommendations on Mitigation and Enhancements contained in the Assessment should be followed by the developer.

Detailed hard and soft landscaping plans will be required.

#### 7.0 Legal implications

7.1 There are no legal implications arising from this report  
KR/21102021/A

#### 8.0 Appraisal

8.1 The key issues in this case are urban design, highway/pedestrian safety and the impact on neighbours' amenities, wildlife, and utilities.

##### Urban Design

8.2 The surrounding area is predominantly residential; therefore, the principle of residential development is acceptable.

8.3 The triangular piece of land has been divided up and owned by separate people, some of the land is used for garages, storage and parking of vehicles, one parcel of land has been left unattended, to overgrow naturally, another appears to be used for some form of commercial activity. Therefore, there is no formal designation for these private parcels of land.

8.4 The layout displays a large detached property, located along the western boundary of the plot adjacent, an overgrown parcel of land. The layout provides a sufficient amount of private garden land and parking to support the proposed dwelling and its occupants. Access to the dwelling would be along a shared access drive. The layout would have no detrimental impact on the established pattern of development, so would therefore, be in keeping with the character and appearance of the surrounding area.

##### Highway Safety

8.5 The existing access, is currently used by both pedestrians and vehicles, in connection with the various parcels of land and their usage. The development, which would be for

one five bedroom dwelling, should not generate an increase in vehicle trips that would have a significant impact on Eccleshall Avenue or the wider highway network. Therefore, the access would be suitable for a residential development of this size.

- 8.6 Access for larger vehicles during the development stage would be difficult. This is due to the narrow nature of the access. However, this could be address by condition for a "Construction Method Statement", which would be submitted for assessment/release. The statement would need to address access, by submitting a plan of action, which would prevent any larger vehicles accessing the site, protecting the access. The agent has confirmed that all deliveries would have to be made by suitable smaller vehicles which currently access the site. They have also suggested a "Banksman" at the entrance to the site to supervise access, in relation to Eccleshall Avenue, and to organise deliveries outside peak hours.
- 8.7 The concerns of Western Power have been considered, however, the volume of traffic associated with a dwelling of this size, would not be significantly different to what currently exists, and together with the construction method statement, would mitigate any concerns with respect to the under ground lines, and larger vehicles accessing the during development.
- 8.8 Without physical changes to the existing access, any vehicle larger than a Transit Van type vehicle would be unlikely to enter \ exit the access road, especially if \ when cars are parked on Eccleshall Avenue. This would need to be considered by any future residents \ occupiers. The access road is private, but it should be constructed so that mud and dirt are not brought out onto the highway network. Therefore, suitable replacement surfacing for the access road would be necessary, especially in light of the concerns raised by Western Power, this can be conditioned as part of the decision.
- 8.9 With reference to Refuse Vehicles, and Fire Service, accessing the site. This can also be addressed, by residents putting their own bins out for collection on Eccleshall Avenue, which is normal practice for surrounding dwellings, and in the case of a fire, internal sprinkler systems can be incorporated into the design as part of the building regulation application.

#### Neighbour Amenities

- 8.10 The proposed dwelling would be located adjacent to the western boundary with a neighbouring parcel of land and set in from the boundaries with neighbouring residential gardens. Although the dwelling would be clearly apparent, from neighbouring properties, due to the detachment from the boundaries, and a suitable window to window relationship, the development would not appear overbearing or oppressive. Restrictions, for future development could also be conditioned in order to protect neighbouring amenities.
- 8.11 Neighbours have raised concerns over disturbance during development, and from vehicles accessing the site, along with security. Disturbance during development can be conditioned, so that development takes place during suitable times of the day. Vehicle movement generated by a property of this size, would not be significantly different to what currently exists, so there would be no excessive increase in disturbance from

vehicles approaching or leaving the site. With respect to security, the site is currently accessed by owners of the site, and possibly other members of society. Development would be enclosed by suitable boundary treatment, preventing direct access, and once occupied the development would also provide natural surveillance, providing further security.

- 8.12 The development site is currently an untidy piece of land, with some neighbours welcoming development, as it would tidy the area up, and prevent vermin. It is hoped that once development is completed, it would deter any antisocial activity taking place, in the vicinity.

#### Wildlife

- 8.13 Wildlife has been considered via the submission of an Ecological Appraisal dated 6<sup>th</sup> January 2021, subject to the recommendations on Mitigation and Enhancements contained in the Assessment, being carried out by the developer, there would be no detriment to the wildlife in this area. The Mitigation/Enhancements can be conditioned as part of the proposal.

## 9.0 Conclusion

- 9.1 The application has satisfactorily demonstrated that the development can be accommodated, without any significant detriment to the character/appearance of the area, highway/pedestrian safety, neighbouring amenities, and wildlife. Therefore, subject to the inclusion of conditions, the proposal is acceptable and in accordance with the Development Plan.

## 10.0 Detail recommendation

- 10.1 Grant Planning Permission subject to the following conditions:

- Submission and Implementation of landscaping
- Sustainable Drainage
- Levels
- Boundary Treatment
- Tree Protection
- Materials
- External Lighting
- Parking provision as shown, and to be provided before occupation/and maintained as parking
- Turning Area as Shown and to be provided before occupation/and maintains as a turning area.
- Electric Charging Points and to be provided before occupation.
- Hours of Operation During Construction
- Construction Management Statement
- Restrict future development.

This report is PUBLIC  
NOT PROTECTIVELY MARKED



CITY OF <b>WOLVERHAMPTON</b> COUNCIL	<b>Planning Committee</b> Tuesday, 16 November 2021
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<b>Planning application no.</b>	21/00795/RC	
<b>Site</b>	Land North East of Junction with Dudley Road, Parkfield Road, Wolverhampton	
<b>Proposal</b>	Amendment to planning application 18/00354/FUL removing the proposed hotel development from the approved scheme, to be replaced by additional car parking. And alteration to the internal layout to provide storage above the existing reception area at first floor, and an additional smaller function hall, at first floor. The proposal also wishes to amend the operational times of the banqueting hall being from 10am - 11pm to 8.30am - 11pm.	
<b>Ward</b>	Blakenhall;	
<b>Applicant</b>	Mrs S Pahal	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	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 This was a former car dealership, which has recently been developed in line with part of the planning application for a Hotel and Banqueting Suite and associated car parking, under approved planning application 18/00353/FUL. The Banqueting Suite and car park have been completed.

## 3.0 Planning History

3.1 This application is a retrospective application for amendments to a previously approved permission 18/00354/FUL which was for the erection of a 600 capacity banqueting hall

and a 30 bedroom hotel with associated car parking and landscaping. Planning Committee resolved to approve planning permission.

#### **4.0 Application details**

4.1 The proposal is for an amendment to the approved plans 18/00354/FUL to remove the Hotel element from the proposal, replacing it with additional car parking (24 Spaces), the insertion of a storage area above the reception area at first floor, and an additional smaller function hall, at first floor. The application also wishes to amend the operational times of the banqueting hall being from 10am - 11pm to 8.30am -11pm.

#### **5.0 Relevant policy documents**

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

#### **6.0 Publicity**

6.1 One observation letter received from the residents of Goldthorn Court opposite the venue. They raised some initial concerns following the opening of the venue regarding, traffic, access into the venue, noise on the car park outside the venue, and the management of car park, Goldthorn Court summarised as follows:

“To summarise and in honesty and fairness, since the opening of the venue, traffic and its associated congestion has increased significantly, and one major incident has occurred requiring police intervention. However, in general, the noise has been bearable and the parking issues are being dealt with accordingly. Rose Garden management seem very keen to work with local residents and us property owners to allay our concerns. These are the observations we wish to bring to your attention”.

#### **7.0 Consultees**

7.1 Transportation – No objections subject to conditions.

7.2 Environmental Health – No objections

#### **8.0 Legal implications**

8.1 There are no legal implications arising from this report KR/05112021/A

#### **9.0 Appraisal**

9.1 The application is for an amendment to a previous planning application which was granted at planning committee (18/00353/FUL). The main amendment would be the removal of the hotel element from the proposal and replacing it with additional car parking Spaces (24). There are also some internal alterations, which are retrospective with the inclusion of a storage area to first floor (above reception), and a small alternative

venue hall to first floor. There is also a slight alteration to the opening time from 10am to 8.30am.

- 9.2 I can confirm that the venue (including all the amendments applied for) have been running for the last couple of months, following the issue of a licence for the amendments proposed.
- 9.3 It is my understanding that the proposed development was significantly affected by and during the Covid19 pandemic, not only with the build but the usage also. Due to the pandemic and many of its restrictions, development was delayed, and there was little interest in using the venue, due to restricted numbers being able to meet in one place. This meant that the size of the venue for such small groups would not be financially viable, in the main hall at ground floor. Therefore, a smaller hall was accommodated to the upper floor, which was ideal for smaller groups being able to hire the venue, especially during these uncertain times, and would enable the applicant to continue with their venture. All restrictions as placed on the original permission such as closing times, and numbers using the venue at any one time were all implemented.
- 9.4 Original concerns with the proposed development centred around car parking, access/egress, impact to the surrounding highway network and impact on neighbouring amenity such as disturbance from the venue and its occupants. This proposal should address some of those initial concerns, due to the loss of the hotel, resulting in less people using the site, with only one business element in operation, and additional car parking spaces taking its place.
- 9.5 There would be an additional 24 spaces, providing 161 spaces in total, and all other conditions centred around car parking and access/egress have been addressed, with only the work to the splitter island remaining (awaiting confirmation from Highway and Transportation for the works to take place as part of the Section 50).
- 9.6 There appear to have been some teething issues on the opening of the venue, as addressed in the observations raised by neighbours. However, since then there has been no additional complaints received, and the initial concerns have been addressed by management, as described under point 3.0 publicity. There appears to be a good relationship between the venue organisers and residential neighbours, and are keen to address any concerns promptly, to keep disturbance to a minimum. The applicant has confirmed, any issues are taken seriously, and changes to the management plan, such as an increase in security, have been implemented following this isolated incident.

## **10.0 Conclusion**

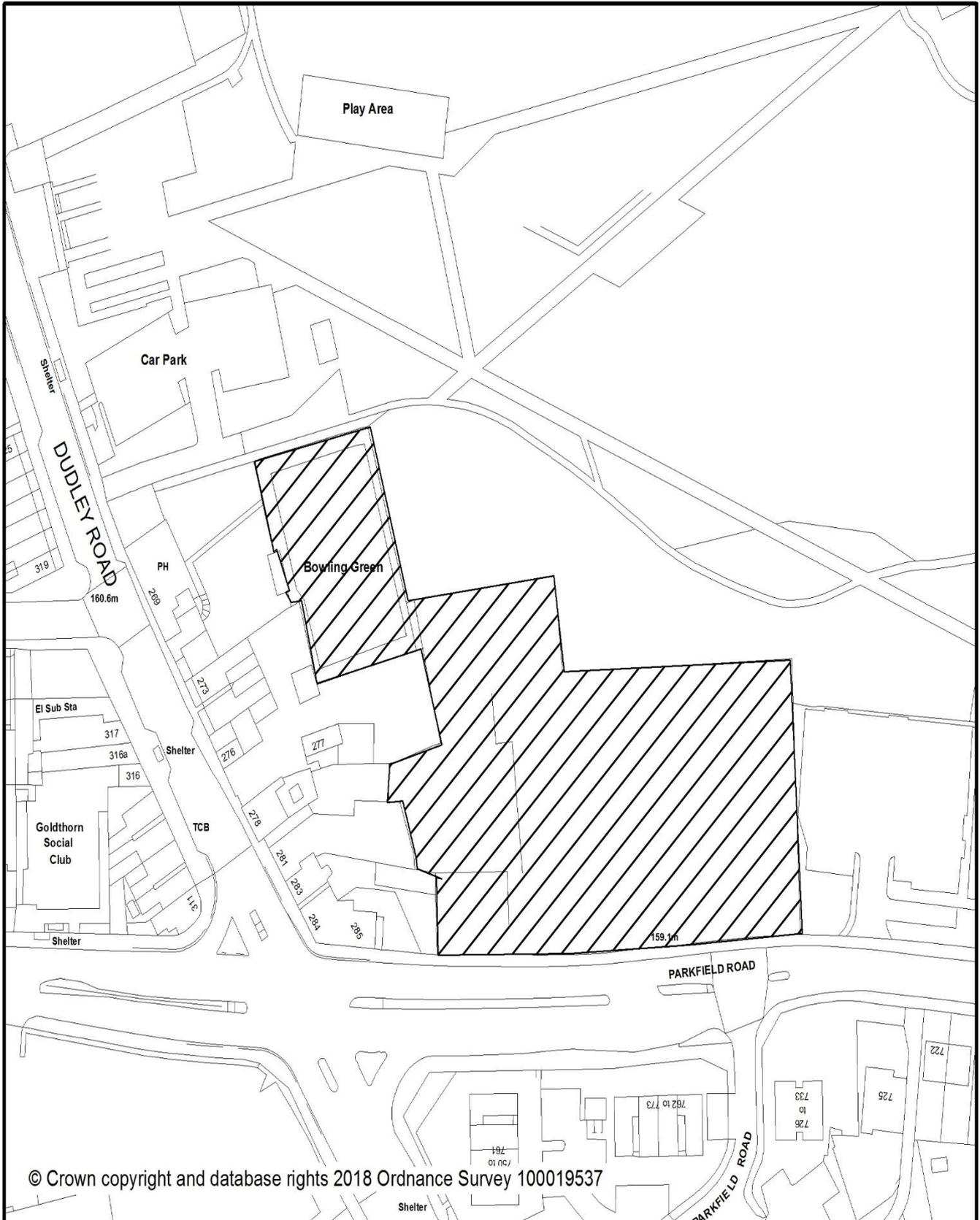
- 10.1 The amendments as proposed would have no significant impact on the character or appearance of the area, with the additional car parking proposed welcomed as this should relieve any overspill car parking on the surrounding highway. The alterations to opening times would have no significant impact on neighbouring amenity, and restrictions on numbers occupying the venue would still be in situ, even though there would now be

additional car parking. Therefore, the proposal is acceptable and in accordance with planning policy, subject to conditions.

## **11.0 Detail recommendation**

11.1 Grant subject to conditions as 18/00354/FUL (a number which have already been addressed)

- 600 person Banqueting Suite
- Works to the Central Splitter Island at Parkfield Road
- Contaminated land/Site Investigation (Coal)
- A noise assessment and mitigation
- Extraction ventilation/odour suppression
- External lighting specification
- Hours of use and delivery/despatch
- Submission/Implementation of Landscaping (Tree Protection)
- Drainage
- External materials
- Visibility (boundary treatment at both entrance and exit)
- Parking to be provided and retained as shown
- Improved Vehicle/Pedestrian Circulation Plan
- Hours of operation during construction
- Electric Vehicle Charging Points
- Cycle and Motor Cycle Parking
- Bin Stores
- Car Parking Management Plan
- Renewables (10%)



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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 November 2021</b>
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<b>Planning application no.</b>	21/01291/FUL	
<b>Site</b>	Open Space Bounded by Rushall Road, Northwood Park Road, Broadway, Bushbury	
<b>Proposal</b>	Construction of a two storey medical centre (Use Class E(e)) with new vehicular access from Broadway and associated vehicle parking and landscaping, to include stopping up of highway land.	
<b>Ward</b>	Bushbury North;	
<b>Applicant</b>	Medcentres PLC (Mr Arnold)	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simpkins Deputy Leader: Inclusive City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Vijay Kaul Tel Email	Senior Planning Officer 01902 553791 vijay.kaul@wolverhampton.gov.uk

## 1.0 Summary recommendation

1.1 Grant subject to conditions.

## 2.0 Application site

2.1 The approximately 0.31 hectare site is an area of open space laid to lawn bounded by Northwood Park Road, Broadway, Rushall Road and Hellier Road. The site is generally level west to east with a slight fall from the south east corner to the north west corner.

2.2 To the southeast of the site there is a three-storey building accommodating flats with a mix of commercial uses on the ground floor. To the southwest of the site there is a One Stop retail unit, hot food takeaway and hair salon. To the east there is the Woodbury School beyond which is the existing Bushbury Health Centre. These surrounding uses along with the application site are located within the Broadway Local Centre.

2.3 To the west of the site is an extra care residential facility Broadway Gardens, operated by Midland Heart.

2.4 Finally to the north, on the opposite side of the road is Northwood Park.

### **3.0 Application details**

3.1 Erection of a new two storey medical centre, with new vehicular access from Broadway (from the east), 61 space car parking and landscaping. As the application site is also adopted highway, the application also includes stopping up of highway land.

3.2 Supporting information submitted with the application state:

- The maximum number of staff employed at any one time is expected to be 45.
- Opening times: Monday to Friday 08:30 to 18:30 hours, Saturday 08:30 to 12:30

### **4.0 Relevant policy documents**

4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

4.3 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)

4.4 The Open Space SPD  
Open Space Strategy and Action Plan (OSSAP) 2018

### **5.0 Publicity**

5.1 The application was advertised by direct neighbour notification, site notices and local newspaper advert. 10 objections have been received and can be summarised as follows:

- Renovate their existing surgery sites or other brownfield locations.
- Develop closer to Wednesfield for elderly and vulnerable
- Open greenspace should be enhanced. Loss detrimental to mental and physical health, and nature
- Increased cars into the area – causing parking and pedestrian safety concerns, car emissions, speeding, blocking existing entrance/exits at old folks home
- Bad idea being on a bus route. Bus service from Wednesfield is inadequate
- Eyesore and loss of outlook to park
- Increased noise and anti-social behaviour
- Previously 12 bungalows have been turned down on this site
- Vulnerable residents opposite – site being accessed for immoral reasons.

- Not reducing carbon footprint
- Work has already started

5.2 A Ward Councillor has also raised objection, summarised as follows:

- WCC should not be disposing of a community asset in this way – should be developed as village green
- Loss of views from neighbouring properties, green is the significant gateway to Northwood Park
- Out of scale and character, causing light obstruction
- Public consultation carried out by applicant was one sided affair – objections talked over
- Detrimental impact upon local amenities (shops, park, school), with significant congestion and safety concerns
- Benefits are outweighed by damage to Bushbury North residents.
- Adverse impact to residents' amenity of neighbours
- Considerable local opposition

5.3 There have been eight representations in support of the development, summarised as follows:

- A larger purpose-built surgery will offer improved will provide greatly enhanced medical treatment, clinical care to patients and services for the area.
- Drs all in one place improvement.
- Essential to meet the future expectations of NHS England
- Several buses cover the route. Consult with Transport Authority to further improve.
- Access and entry will take greater account of disabled, and elderly Patients
- Existing practices are no longer fit for purposes and struggle to meet demand
- Loss of open space can be offset by landscaping a 'richer' habitat for wildlife than present
- Benefit of building a new Health Centre overrides any objections
- Fully support new site, even though living ½ mile from Prestwood Road Surgery
- More treatments such as physiotherapy can be offered closer to home, where now travelling to Stafford
- The first-class clinical and administrative teams deserve to work in a modern, well-equipped, safe environment rather than outdated converted bungalow

- The communities of Bushbury, Fallings Park and Wednesfield will benefit greatly from this development.
- New housing developments in the locality will benefit from improved infrastructure
- Makes use of currently underused site in local area.

## **6.0 Consultees**

### **Internal**

- 6.1 Highways – No objection subject to conditions and funding of Traffic Regulation Order.
- 6.2 Environmental Protection (Land Contamination) – No objection subject Phase 2 Site Investigation

### **External**

- 6.3 Severn Trent Water – No objections subject to conditions requiring drainage plans for the disposal of foul and surface water flows
- 6.4 NHS Black Country and West Birmingham CCG – Support proposal as it aligns with the Primary Care Estates Strategy and Black Country & West Birmingham STP Estates Strategy.

## **7.0 Legal implications**

- 7.1 The legal implications arising from this report are set out below SE/05112021/C.

## **8.0 Appraisal**

- 8.1 The main issues for consideration are:

- Principle of development
- Character and Appearance
- Highways and Parking
- Residential Amenity
- Ecology

### **Principle of development**

- 8.2 The Prestbury Medical Practice have been working to secure fit-for-purpose medical facilities for the last 7 years. This proposed Medical Centre will house the Prestwood Road West Surgery and Bushbury Medical Centre. The existing buildings are both at capacity and unfit for purpose. Prestwood Road West is the only surgery in its locality identified as a red (highest) risk in the Clinical Commissioning Group's (CCG) Estate Strategy and is very much a priority. This proposal will see the consolidation of both sites

into one. The building will be an NHS GP surgery with associated services, such as consulting/examination rooms, treatment rooms, GP training rooms and health education.

- 8.3 As part of site selection process, a number of sites were identified and assessed by MedCentres, but these were discounted for a variety of reasons, including size of site unsuitable, not delivering value for money, land earmarked for development within a long-term lease agreement or designated greenbelt land.
- 8.4 There is clear demand for a new, purpose built Medical Centre, and this is shown by the fact that the project is a CCG Estate priority (Wolverhampton Clinical Commissioning Group Primary Care Estates Strategy 2019-2024). The proposal was approved in the Primary Care Commissioning Committee meeting on 24<sup>th</sup> August 2021. The district valuer has signed off on the project meaning the scheme represents value for money for the NHS.
- 8.5 While the application site is designated open space, given its size and location surrounded by highways, it has limited practical use for recreation and amenity, as reflected in the fact that it is adopted highway. Given the proximity of other open space, which principally includes Northwood Park immediately adjacent, and the good level of provision of open space in this part of the city, as demonstrated in the Open Space Strategy and Action Plan 2018, it is considered that the site can be developed without prejudice to open space provision in the city. It also satisfies the requirements of BCCS Policy ENV6 and Saved UDP Policy R3.
- 8.6 It should be noted, that in December 2020, Council approval was given in an Individual Executive Decision Notice to declare the application site (which is housing owned land) surplus to requirements and to dispose of the land for the development of a new medical facility, subject to the agreement of Heads of Terms and sale conditions.
- 8.7 The application site was identified as part of the councils Strategic Housing Land Availability Assessment in 2020 as potentially being able to support the development of residential housing, however, no formal planning application was submitted.
- 8.8 The proposal would continue to be well located within the Broadway Local Centre, BCCS Policies CEN5 and HOU5 support this development, as it meets an identifiable need, is well related to public transport infrastructure and will positively contribute to the local services in the area.
- 8.9 The principle of development is therefore acceptable and would not be contrary to the policies of the Development Plan.

### **Character and Appearance**

- 8.10 The proposed layout address all frontages in an acceptable manner, with the main entrance directly opposite the local centre. The off-set position of the building within the plot allows some visual openness to be maintained toward Northwood Park.

- 8.11 The proposed two-storey scale, massing and bespoke design incorporating multi-red brick, corten steel elements, pitched tile roof and modern fenestration on all elevations, responds to the site characteristics of this prominent site, which is all the more challenging due to being open on all four sides.
- 8.12 A detailed landscaping plan will be required to ensure the site planting balances well against the landscape setting of Northwood Park, and provide a more softened edge to the perimeter, which is to be enclosed by 1m high railings.
- 8.13 Although the amount of open space would be reduced, overall, the development will not harm the essential character and appearance of the surrounding area.

### **Highways and Parking**

- 8.14 A number of objections have been received raising concern over potential highway safety impacts.
- 8.15 The Highway Authority have robustly assessed the proposals and the associated Transport Assessment, including requested additional information. They have concluded that the proposed access is acceptable in its position and design and that the traffic levels associated with the development can be accommodated on the existing network without resulting in a severe impact. It should be noted that a proportion of vehicular trips on the network will not be new trips on the network but re-distributed trips due to the re-location and merger of the two existing medical practices.
- 8.16 The parking provision is supported by a detailed analysis of similar medical facilities, as well as existing information on staff mode of travel to existing practices. This anticipates that around 10-15 staff will not be using the car park on any given day. Based on this data, combined with the study of other new built GP surgeries, 61 parking spaces along with designated cycle and motorcycle parking is adequate and enough to ensure that the development meets its own transportation needs with no detriment to highway safety. Even if visitor parking does occur outside the site, given the short duration of visits which is frequently changing, the roads should be able to accommodate the relatively small amount of on-street parking which can be controlled by Traffic Regulation Orders.
- 8.17 A new pedestrian crossing point will be installed, and an existing crossing point enhanced to the south of the site, to improve safe access. The site is accessible to other means of travel, including regular bus services and cycle links.
- 8.18 The proposed stopping up of the application site as highway land is necessary to enable the development to proceed subject to granting of this planning permission, and is acceptable in highway terms. Separate to the planning process, an application to the Department of Transport has been submitted to formally cease the land to be a public highway, but obligations relating to further consultation still remain.
- 8.19 The proposed development would not conflict with transport and parking development plan policies, nor with would there be conflict with NPPF paragraph 111 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**

- 8.20 The nearest residential use takes place at the over 55's accommodation, Broadway Gardens located to the west of the site. There is a separation distance of at least 29m between habitable rooms and the proposed building, this will ensure no adverse impact upon their immediate outlook, sunlight or privacy.
- 8.21 There is more significant separation distance of some 50m to the flats above existing commercial units in the Broadway Local Centre, and at least 39m to Woodbury School to the west.

## **Ecology**

- 8.22 The Preliminary Ecological Appraisal concludes the loss of amenity grassland will have limited impact on local biodiversity. There is opportunity to introduce a native planting scheme, bat and bird boxes to ensure a net gain for biodiversity.

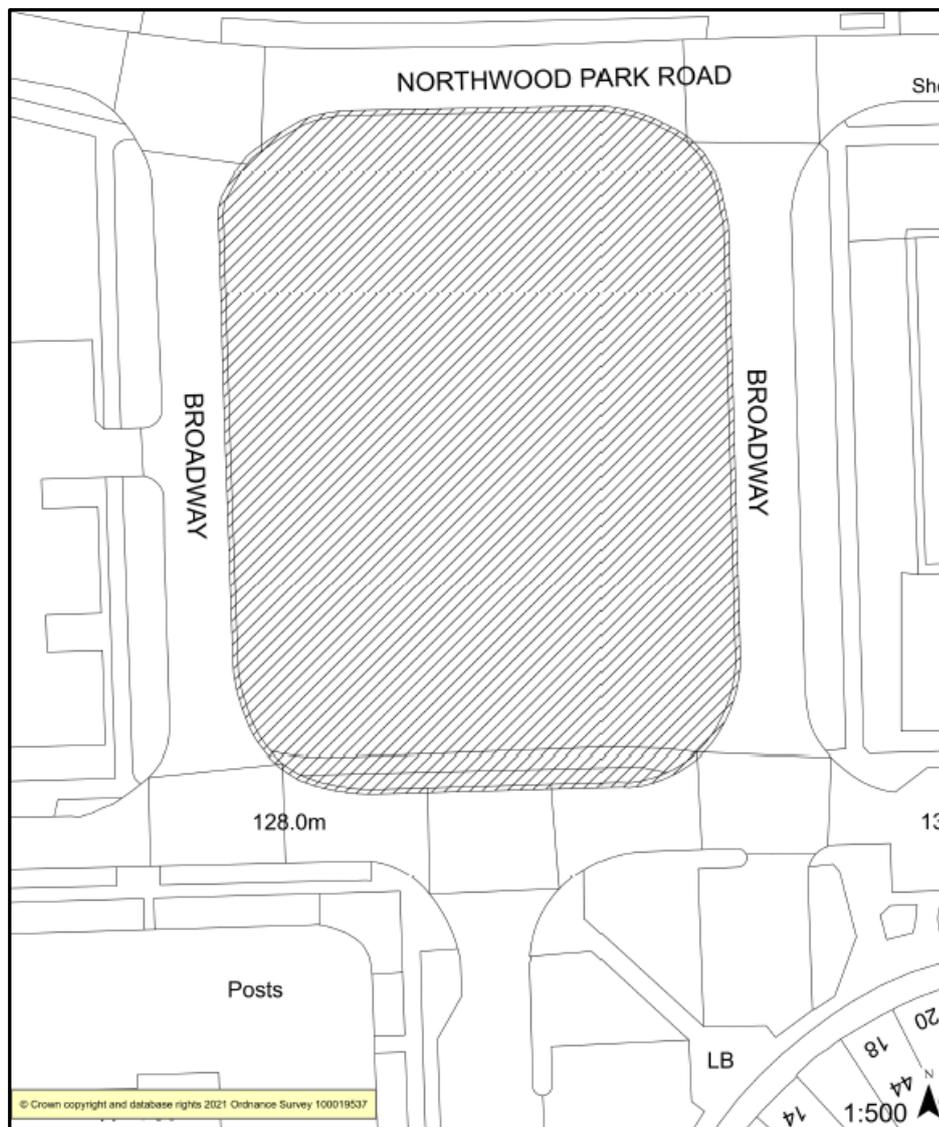
## **9.0 Conclusion**

- 9.1 Whilst the proposal results in the loss of public open space, on balance, the substantial benefits that will come as part of this proposal will outweigh any limited harm. The proposal is acceptable and overall is in accordance with the development plan.

## **10.0 Detail recommendation**

- 10.1 That planning application 21/01291/FUL is granted subject to following conditions
- Use of building restricted to Class E(e)
  - Materials
  - Levels
  - Boundary treatment
  - Drainage
  - Detailed landscaping plan
  - Land contamination
  - Opening hours
  - Details of the type and location of external equipment
  - Construction Management Plan (including traffic control measures)
  - Car Parking / access implementation
  - Pedestrian crossing points - details to be submitted and agreed
  - Travel Plan
  - Cycle / motorcycle parking provision
  - Electric charging points
  - 10% renewable energy
  - Barrier/gate to restrict car park access only outside operational hours
  - Refuse management plan

- External lighting plan / light spillage
- Accord with recommendations of ecology report



<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 November 2021</b>
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<b>Planning application no.</b>	21/01053/FUL	
<b>Site</b>	Hill Avenue Academy, Hill Avenue, Wolverhampton, WV4 6PY	
<b>Proposal</b>	Extension to create 4 new classrooms, entrance reception and staff room. Erection of new canopy and amended car park layout.	
<b>Ward</b>	Spring Vale	
<b>Applicant</b>	Hill Avenue Academy (Elliott Hateley)	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	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 School built in the 1950's within a residential estate, mainly of single storey scale, with one and half storey main hall. There have been previous extensions erected on these premises.

2.2 The site includes a formalised hard surface play and sports area, which provides a multi games layout and running track. To the south-east of the site there is soft landscaping with mature trees, lawned areas and vegetation.

2.3 There is parking immediately in front of the school accessed directly off Hill Avenue, which is a no through road. There is further informal car parking toward the north of the site. To the south of the site, pedestrian access is available from Waverley Crescent.

## 3.0 Application details

- 3.1 Single storey extension to provide additional four classrooms, new reception area and office space, created by partial demolition of the main school building. This will front the main entrance of the school.
- 3.2 An infill single storey extension will be built along the north-western elevation to create a re-located staff room.
- 3.3 A new mono-pitch external canopy will be erected along the south-east elevation to provide a cover to existing play areas.
- 3.4 The planning submission confirms the extension will accommodate its planned increase of pupil places by 105 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 2022, 15 additional pupils per year will mean admission numbers increased from 315 places to 420 places.
- 3.5 Part of the existing car parking to the front of school will be relocated to the side and accessible along the existing short service and delivery road. In total eight existing parking spaces will be relocated, and three new parking spaces provided. There will be a minimum of 22 parking spaces, including a new disabled parking bay and two parking bays served by electric vehicle charging points.

#### **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 notices and local newspaper advert. Six representations (one letter includes an 18-name petition), have been received and can be summarised as follows:
  - Concerns about safety for children
  - Increased pavement parking and blocking residential driveways, causing anti-social behaviour from parents
  - Increased volume of traffic to surrounding roads
  - School should take responsibility for children leaving premises
  - Emergency vehicles may not get through

- Waverley Crescent: Grass island on used as overspill parking, car drop off children in middle of road, walking parents congregate on driveways. Some ideas for improvement:
  - staggered finish times
  - boulders on island to prevent parking
  - H-markers to each property funded by council
- Coaches and delivery vehicles causing obstruction
- No more outdoor space being created

## **6.0 Consultees**

### **Internal**

- 6.1 Highways – No objection subject to conditions and funding of Traffic Regulation Order.
- 6.2 Environmental Protection (Land Contamination) – No objection, as there are no contamination issues.
- 6.3 Education – Supportive of proposal.

### **External**

- 6.4 Severn Trent Water – No objections subject to conditions
- 6.5 Western Power Distribution - Welcomes contact with the developer to provide safety guidance for construction.

## **7.0 Legal implications**

- 7.1 The legal implications arising from this report are set out below SE/05112021/B.

## **8.0 Appraisal**

- 8.1 The main issues for consideration are:

- Principle of development
- Character and appearance
- Highways and parking
- Residential Amenity

### **Principle of development**

- 8.2 Hill Avenue is currently a 1.5 form entry primary school and is rated outstanding by Ofsted. As expected, it is extremely popular with the number of 1<sup>st</sup> preferences for the school significantly exceeding the number of places on offer over the past four years. As a result of this demand in the local area, City of Wolverhampton Council have requested that the Pupil Admission Number (PAN) for the school is increased by 15 pupils a year over a 7-year period leading to a total increase of 105 pupil places.

- 8.3 The proposal from Manor Multi Academy Trust responsible for Hill Avenue Academy is for a permanent expansion from 1.5 forms of entry (45 places per year group) to 2 forms of entry (60 places per year group), a total of 105 additional permanent places to be accommodated in the extended facilities. The expansion of the school is already included in the Council's Primary School Expansion Programme 2021 and 2022 (PSEP 2021 and 2022). The proposed expansion would be effective from September 2022.
- 8.4 In addition, the Academy meets the factors that are 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 Hill Avenue Academy will support the Local Authority's statutory duty in ensuring sufficient school places are available in the local area.
- 8.5 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 demonstrated. In accordance with paragraph 95 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. The NPPF also states that local planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education.
- 8.6 Furthermore, as the new building elements of this proposal have been designed to sit within and adjacent to the existing main school building footprint, there is no loss of formal sports or activity space. The principle of development is acceptable.

### **Character and appearance**

- 8.7 The design of the extension featuring a flat roof, facing brick finish and modern glazing would ensure the extensions integrate with the existing school complex. The external canopy is a largely transparent structure and would be an appropriate addition.
- 8.8 The local planning authority are therefore satisfied that the proposal would not cause harm to the surrounding character of the area.

### **Highways and Parking**

- 8.9 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 on Hill Avenue, Gordon Avenue, Pruden Avenue, with considerable concern raised in respect of Waverley Crescent.
- 8.10 The Highway Authority acknowledge these issues given the increase of up to 34 cars anticipated in the submitted Transport Assessment. However, some of these existing issues 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.

- 8.11 An analysis of the most recent accident data suggests that there are no historic accident trends that might be exacerbated by the proposal.
- 8.12 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 mitigation measures.
- 8.13 The school is currently awaiting approval from the governing body to re-introduce staggered start and finish times – with two start (0830 and 0845) and two finish times (1500 and 1515). This will serve to dilute the impact of additional trips but also to provide a benefit in terms of lessening the concentration of existing drop-off / pick-up. The staggered times arrangement initiated across other schools in the City has improved parking capacity during peak times. A condition will be required to confirm the introduction of these times and also ensure that children with siblings with conflicting schedules are managed, so that they are allowed to start / finish school early.
- 8.14 The submitted Travel Plan has been prepared in accordance with the nationally recognised, Modeshift STARS programme, which the school has now signed up to and commits the school to reducing its traffic impacts – it sets targets to reduce the overall proportion of both staff and pupils travelling to school by car alone by 10% (over the period of expansion). Within the Travel Plan, there is a specific commitment that the school will seek to identify suitable Park & Stride locations, that are (moderately) remote from the school, with the specific purpose of reducing the number of vehicles using either Hill Avenue or Waverley Crescent. The Travel Plan commits the school to developing a considerate drivers code of conduct with a view to discouraging unsociable behaviour that impacts negatively on access to residents' properties.
- 8.15 The applicant has confirmed the expansion will lead to an increase seven full time equivalent (FTE) staff, with a proportion of these likely to be part-time. It is considered that the level of parking proposed to cater for the uplift in staff is appropriate, in the context of the constraints of the site and the school's commitment to reducing car trips amongst staff, as set out in its Travel Plan.
- 8.16 The applicant has agreed to a condition to fund the Council review of existing Traffic Regulation Orders (TRO) in the vicinity of the school.
- 8.17 In light of these above measures, and the relative short period of potential impacts at drop off and pick up times, the proposed development would not conflict with transport and parking development plan policies, nor with would there be conflict with NPPF paragraph 111 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**

8.18 Given the limited scale and massing of the built form with sensitively positioned glazing, the proposed development has been designed to ensure that the newly formed classrooms would not harm the living conditions of surrounding residential occupiers. The external canopy to the south-east would cover already utilised outdoor space.

8.19 No adverse impact upon residential amenity would arise.

## **9.0 Conclusion**

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

## **10.0 Detail recommendation**

10.1 That planning application 21/01053/FUL is granted subject to following conditions:

- Materials
- Drainage
- Parking layout implementation
- Construction Management Plan (including traffic control measures)
- Transportation mitigation measures (inc staggered pick up/drop off times, TRO)
- Travel Plan
- Cycle/motorcycle parking
- Electric vehicle charging points



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