

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
Address Democratic Services Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website <http://wolverhampton.moderngov.co.uk>
Email democratic.services@wolverhampton.gov.uk
Tel 01902 550320

Please take note of the protocol for filming, recording, and use of social media in meetings, copies of which are displayed in the meeting room.

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

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 3 - 8)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 22/00022/FUL - Land to the rear of 82 Taunton Avenue, accessed from Springfield Lane (Pages 9 - 12)
[To consider the planning application] |
| 6 | 21/01753/FUL - 89 Finchfield Road West, Wolverhampton, WV3 8BA (Pages 13 - 18)
[To consider the planning application] |
| 7 | 22/00037/FUL - Land North West of 197 Staveley Road, Wolverhampton (Pages 19 - 22)
[To consider the planning application] |
| 8 | 21/01642/FUL - 1 Clifton Road, Wolverhampton, WV6 9AN (Pages 23 - 28)
[To consider the planning application] |
| 9 | 21/00011/TPO - Pumping Station, Goldthorn Hill, Wolverhampton, WV2 3JA (Pages 29 - 34)
[To consider the planning application] |
| 10 | 22/00033/RC - 12 Yew Tree Lane, Wolverhampton, WV6 8UF (Pages 35 - 38)
[To consider the planning application] |

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Minutes - 18 January 2022
----------------------------------------------	--------------------------------------------------------

Attendance

Councillors

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

Employees

Stephen Alexander	Head of City Planning
Tracey Homfray	Planning Officer
Tim Philpot	Professional Lead - Transport Strategy
James Dunn	Tree Officer
Jobe Elwell	Planning Officer
Martyn Gregory	Section Leader
Donna Cope	Democratic Services Officer
Jaswinder 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 Councillor Asha Mattu and Councillor Jas Dehar.

2 **Declarations of interest**

The following non-pecuniary interests were declared:

- Councillor Phil Page in respect of agenda item 7.
- Councillor Olivia Birch in respect of agenda item 7.

3 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 16 November 2021 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **21/01335/FUL - 473 Wood End Road, Wolverhampton, WV11 1YE**

The Committee considered a report regarding 21/01335/FUL – Proposed porch, garage, utility, shower room and kitchen extension.

Councillor Steve Evans, addressed the Committee and spoke in opposition to the application.

Tracey Homfray, Planning Officer, responded to the statements made, confirming that neighbouring amenities had been thoroughly assessed and the proposals were acceptable.

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

Resolved:

That the planning application 21/01335/FUL be granted subject to the following conditions:

- Matching materials
- Sound proofing

6 **21/01334/FUL - 9 Wrekin Drive, Wolverhampton, WV6 8UJ**

The Committee considered a report regarding 21/01334/FUL – Proposed replacement dwelling.

Tracey Homfray, Planning Officer, reported that since the agenda had been published, a further objection had been received.

Mr Mark Hayward addressed the Committee and spoke in opposition to the application.

Tracey Homfray, Planning Officer, responded to the statements made and explained that the proposals were acceptable.

Councillor Page moved that the application be granted subject to additional conditions in relation to matching materials and noise nuisance mitigation. Councillor Muston seconded the recommendation.

Members of the Committee raised further concerns regarding parking, ecology and overdevelopment, however most Members felt that the proposals were acceptable.

Resolved:

That the planning application 21/01334/FUL be granted subject to the following conditions:

- Levels
- Matching materials
- Landscaping
- Lighting
- Ecology
- Electric Charging point
- Sustainable drainage
- Construction Method Statement
- Hours of Operation during construction
- Parking as proposed
- Restriction on development – removal of permitted development for extensions
- Boundary treatment to mitigate noise

7 21/01114/FUL - 25 Oaklands Green, Wolverhampton, WV14 6DW

Having declared an interest, Councillors Page and Birch left the meeting room whilst the application was considered.

The Committee considered a report regarding 21/01114/FUL - Two Storey and Single storey side/rear extension.

Members of the Committee had concerns regarding the application and felt that the proposals were unacceptable.

Councillor Inston recommended that the application be refused. Councillor Thompson seconded the recommendation.

Resolved:

That planning application 21/01114/FUL be refused for the following reasons:

- Car parking issues.
- Massing of development.
- Negative effect on neighbours.

Councillors Page and Birch returned to the meeting.

8 **21/00402/FUL - Former Quality Hotel Site, 126 Penn Road (including 42 Oaklands Road And Business Centre), Wolverhampton, WV3 0ER**

Planning application 21/00402/FUL had been withdrawn from Planning Committee so therefore was not considered.

9 **21/00008/TPO - Woodthorne Road South, Tettenhall, Wolverhampton**

The Committee considered a report regarding 21/00008/TPO - Confirmation Report for The Wolverhampton City Council (Woodthorne Road South No. 2) Tree Preservation Order 2021.

Mr Kraushar addressed the Committee and spoke in opposition to the application.

James Dunn, Tree Officer, responded to statements made and advised that maintenance work on the tree would not be prevented by a Tree Preservation Order.

Members of the Committee debated the report and Councillor Page recommended that the application be deferred allowing the local authority to inspect the tree and carry out the necessary maintenance work.

Members of the Committee supported Councillor Page's proposal, and Councillor Hibbert seconded the recommendation.

Resolved:

That the confirmation of Tree Preservation Order 21/00008/TPO be deferred.

10 **21/01466/FUL - 14 Abingdon Close, Wolverhampton, WV1 2PR**

The Committee considered a report regarding 21/01466/FUL - Proposed conversion of existing dwelling house into 2 self-contained flats and bricking up of ground floor hallway window.

Jobe Elwell, Planning Officer, reported that following the site visit earlier that day, he proposed that one fully dropped kerb and additional taper kerb were dropped in order to extend the width of the existing kerb. This would help with access and could be secured by condition.

Mr Lee Cooper addressed the Committee and spoke in opposition to the application.

Jobe Elwell, Planning Officer, responded to the statements made and explained that the proposals were acceptable. Tim Philpot, Professional Lead - Transport Strategy, elaborated on the proposed parking provisions and advised that they were sufficient.

The report was debated by Committee, and the Planning Officer responded to questions asked.

Members of the Committee had concerns regarding parking and an obstructing tree, but most Members felt that the proposals were acceptable, and the tree should be maintained.

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

Resolved:

That the planning application 21/01466/FUL be granted subject to the following conditions:

- 3-year timescale condition
- Permission in accordance with approved plans and documents only
- Matching materials condition
- No additional windows or doors to be included
- Obscure glazing to ground floor front bathroom window
- Acoustic mitigation measures to be implemented in accordance with approved drawing
- Provision of EV charging port in accordance with approved drawing
- Driveway to be retained for residential parking for at least 3 domestic vehicles
- Bins to be brought out for collection but otherwise stored in respective rear gardens
- Maintenance of the tree by the local authority to a suitable standard.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
----------------------------------------------	------------------------------------------------------------

Planning application no.	22/00022/FUL	
Site	Land to the rear of 82 Taunton Avenue, accessed from Springfield Lane	
Proposal	A Two-bedroom Bungalow	
Ward	Bushbury North;	
Applicant	Mr And Mrs Flannery	
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	Stephen Alexander	Head of Planning
	Tel	01902 555610
	Email	Stephen.alexander@wolverhampton.gov.uk

1.0 Summary recommendation

Grant subject to conditions.

2.0 Application site

2.1 The site is a part of an existing rear garden of a detached dwelling house on Taunton Avenue with an existing access to the rear from Springfield Lane.

3.0 Application details

3.1 The proposal is a two-bedroom bungalow with landscaping, parking and a driveway from Springfield Lane.

4.0 Relevant policy documents

4.1 The Development Plan.

5.0 Publicity

5.1 One objection has been received on the following grounds:

- A planning application in 1994 was refused;
- Noise and activity caused by vehicular movements using the access road;

- Safety of pedestrians and vehicles using the access road;
- Increased traffic, parking and highway safety in Springfield Lane;
- Drainage and flooding of the access route and Springfield Lane;
- Loss of privacy from overlooking;
- Security, anti-social behaviour and litter due to proposed access gates set back from Springfield Lane;
- The development is not on previously developed land and is not required according to development plan policies;
- Root damage to a large house chestnut tree from excavations in the access road.

6.0 Consultees

- 6.1 Tree officer - no objection subject to a tree protection condition including measures to protect the roots of the horse chestnut tree.
- 6.2 Transportation – no objection subject to conditions. The proposed driveway width would meet the required standard. Vehicle access to the development site off Springfield Lane will be via an existing footway crossing and is considered acceptable. Off-street parking provision can be accommodated within the site boundary and there is enough space within the layout for cars to be able to turn around within the site. The proposed gate on the access road must be setback a minimum distance of six metres from the back of footway of Springfield Road. The proposed access driveway must be constructed so that no dirt or detritus is brought out onto the highway network.
- 6.3 Fire Service – no objection subject to conditions including sprinklers inside the proposed bungalow.

7.0 Legal implications

- 7.1 There are no legal implications arising from the report (SE/10032022/A).

8.0 Appraisal

- 8.1 The development plan generally encourages housing development if it causes no harm. Our policies do not rule out the development of existing garden areas if a proposal is not detrimental to the character and appearance of an area. Each case is considered on its own merits.
- 8.2 This is an unusual case as the existing garden is longer than the adjacent gardens on Taunton Road and it benefits from the existing access from the road to the rear. The size of the proposed plot leaves a large area of garden to the existing house. The proposed bungalow is a modest building on a reasonably sized plot with landscaping and garden space. The proposal will not detract from the character and appearance of the area.
- 8.3 The existing trees may be protected by appropriate conditions.
- 8.4 A previous planning application in 1994 was for a commercial office use. It was refused due to noise and activity that would have been caused by vehicular movements using the access road. The current application is for a two-bedroom bungalow that will not generate as much traffic. The occasional movements of vehicles along the access road

will not cause significant noise disturbance that would justify a reason for refusing planning permission.

- 8.5 The proposed bungalow is set away from the neighbouring properties and it will not harm the amenities enjoyed by the neighbours. Some overlooking is to be expected in suburban residential areas and the residents of the new bungalow will not be overlooked to an unacceptable degree.
- 8.6 The proposed access gate is set back from Springfield Road as recommended by the transportation officer. To mitigate security concerns, a condition can require a lighting scheme for this area to be submitted to and approved prior to the occupation of the bungalow.
- 8.7 The tree officer, transportation officers and the Fire Service have no objection subject to conditions.
- 8.8 Concerns about drainage can be addressed by conditions requiring an acceptable drainage scheme to be submitted and the driveway to be a permeable surface.

9.0 Conclusion

- 9.1 All the relevant material planning considerations have been carefully considered and the proposal will provide an acceptable dwelling that accords with the development plan. There are no grounds that would sustain a planning reason for refusal.

10.0 Detail recommendation

- 10.1 Grant subject to any necessary conditions including:
- External materials
 - Landscaping and boundary treatments
 - Access road and gate
 - Bin storage
 - Parking area
 - Tree protection
 - Electric vehicle charging point
 - Construction management plan
 - Drainage
 - External Lighting
 - Removal of permitted development rights for extensions

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
----------------------------------------------	------------------------------------------------------------

Planning application no.	21/01753/FUL	
Site	89 Finchfield Road West, Wolverhampton, WV3 8BA	
Proposal	This is a material amendment to the recently approved planning application 20/00729/FUL.	
Ward	Tettenhall Wightwick;	
Applicant	Mr Harjit Cheema	
Cabinet member with lead responsibility	Councillor Steve Evans 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 application site is within a predominantly residential area, the property occupies a prominent corner position, on the island junction with York Avenue, pedestrian and vehicular access are both off York Avenue, although the property is part of the street scene within Finchfield Road West.

2.2 The property is one of two of this particular design, being a rendered property, with Tudor detail timber to the front projecting gables, beneath a hipped roof. The property has a substantial garden to the frontage with driveway, and enclosed private rear garden area. There are protected trees to the front garden.

3.0 Planning History

3.1 20/00729/FUL - Two storey side extension, first floor side extension, first floor front extension, and ground floor side and rear extension, and new roof to facilitate loft conversion – Granted 28/08/2020 subject to conditions.

4.0 Application details

- 4.1 The development is partly retrospective, as the required amendments have been suggested halfway through the build for approved planning application 20/00729/FUL.
- 4.2 The amendments are required to update the insulation to the property, as the current insulation was found to be of poor quality once the development commenced. The proposed amendment requires the build to project forward of the principle rear elevation by 370mm and to the front of the proposed first floor side extension by 500mm. The application also includes a retrospective gated entrance to the side of the property.
- 4.3 During the assessment of the proposal, concerns were raised to the size of the development, therefore, the build was checked and was found to deviate from the original approved plan, as follows:

- Inclusion of a single storey rear extension (2.350m in depth) projecting off the principle rear elevation. This was built subject to permitted development. However, as this is being built at the same time as the previously approved planning application, it has been added to this application as a material change.

- Measurement changes

Approved two storey side extension increased in width from 4m to 4.1m.

Projection forward of the approved front extension by 0.550m, to align through with where the existing garage was at ground floor.

All these alterations have been added to this application, for assessment/resolution.

5.0 Relevant policy documents

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

6.0 Publicity

- 6.1 Four neighbour objections with one request to speak at planning committee, objections are as follows:
- Application originally approved during lockdown for the pandemic
 - Out of Character
 - Overdevelopment due to size of development

- Position to Neighbours
- Loss of Privacy
- Loss of Light
- Height/Massing
- Position of Windows in relation to neighbours
- Accumulation of Rubbish on site
- Design, size and height of entrance gates
- Insufficient Parking leading to on street parking
- Gutter design change
- Choice of Materials used, and loss of pebble dash render
- out of keeping
- Green Fencing to frontage
- Size of Roof
- Outlook
- Maintenance of development once built and access to shared services
- Measurement don't match the plan once scaled
- Projection past the front building line
- Distance between the extension and York Avenue

7.0 Legal implications

7.1 The legal implications arising from this report are set out below [KR/11032022/D].

8.0 Appraisal

- 8.1 Planning permission has already been approved for a residential extension at the proposed application site, and this proposal is for further amendments which have been added during the build which are currently taking place. Development has ceased as advised whilst the alterations are considered/resolved.
- 8.2 The proposal site is one of a pair of similar designed properties, within a street scene of varying properties, bungalows, houses, and flats. The original scheme was suitably designed maintaining key features, and although now different to the similar neighbouring property, would not appear out of keeping with the surrounding street scene.

- 8.3 The alterations along the whole rear elevation and to the front elevation of the proposed first floor side extension, is to facilitate insulation. These alterations are minimal and would have no negative impact on the character or appearance of the dwelling. However, due to the relationship with the windows to the neighbouring property at 87 Finchfield Road West to the front, we have requested that the insulation be pushed back to its original position, to remove any conflict with those neighbouring windows. The applicant has agreed to do this. We have also requested that the roof design to the ground floor element along this common boundary to be changed from a pitched roof to a hip design. This will relieve some of the brick work along the boundary, improving outlook and light, and would also balance out the appearance with a ground floor hipped element on the opposite side of the dwelling. This has also been agreed by the applicant, and the plans have been amended accordingly.
- 8.4 The increase in depth by 0.550m to the two storey gable element to the frontage, is set in away from the common boundary at first floor, and aligns through with the position of the existing garage. The increase in depth has no negative impact on the character or appearance property, as approved, and does not encroach negatively on the building line or to neighbouring amenities.
- 8.5 Objections have been raised with respect to the materials used and that they do not match that of the existing property. This has been considered, and due to the mixture of materials in and around the site, which includes render, render and brick, and brick of different colours red, yellow, and mix, the change in material is acceptable, having no detrimental impact on the character/appearance of the street scene.
- 8.6 Where the development meets York Avenue, the two storey side extension has been marginally increased in width from 4m to 4.1m. There is a distance of 2m from the public highway, which is a suitable offset, and would not appear overbearing.
- 8.7 Along the boundary with York Avenue, there is a proposal to screen/secure the site with a gate/fencing. We have requested that the gate and fencing be lowered to 2m in height from 2.4m. This would be consistent with other corner sites, where boundary treatments are erected to provide privacy and security. The proposed frontage fencing has been rejected and removed from the proposal. The green fencing erected at present along the frontage is to screen the site whilst work is taking place, and would be removed once the development is complete.
- 8.8 The applicant has confirmed that the proposed alterations would not impede on the roof design or height as previously approved, which shall remain as approved. The stepped hipped design would be consistent with the hipped design depicted in the area, along with the mock Tudor gables. The additional height approved as part of application 20/00729/FUL, would have no significant impact on the setting, or in relation to other properties in the street scene, where there are a variety of dwelling types and roof

designs. Any change to the height/design is unlikely to be supported by the Planning Authority.

- 8.9 A design change to the guttering along the boundary with the neighbouring property at 87 Finchfield Road West has been included. The design is acceptable, as long as it is within the boundary of the site, which the applicant has confirmed it is. A neighbour has raised this as an issue with landownership and maintenance, however, this would be a private matter to be resolved between the parties concerned.
- 8.10 As explained above there has been a slight increase in width of the two storey side extension from 4m to 4.1m, an increase in depth to the frontage by 0.550m and the inclusion of a ground floor extension off the principle rear elevation under permitted development.
- 8.11 The applicant built the single storey rear extension under the perception of it being allowed under permitted development (a single storey rear extension up to a depth of 4m, subject to height limitations, and sufficient curtilage land). However, due to the extension being built at the same time as the approved scheme, it should be assessed as an amendment to the original permission.
- 8.12 The single storey rear extension is well under what could be built at a depth of 2.3150m and has an appropriate height with a hipped roof design. The alteration at this depth and size has no significant impact to neighbouring amenities, such as outlook, light, sunlight or privacy. The slight deviations to the side and front, do not impede on parking or garden amenity, with a sufficient amount left to provide off street parking, and garden to enjoy. As the amended development has now limited the amount of space left, a condition removing permitted development rights should be included, to prevent overdevelopment of the site, such as outbuildings.
- 8.13 There is sufficient space for parking, and there is also parking afforded to York Avenue along the side of the property, for visitors.
- 8.14 Neighbours have objected to the loss of privacy and light. The extension has been assessed with respect to neighbours, and there would be no significant impact. The extension does protrude past the rear elevation of the neighbouring property at No. 87 Finchfield Road West, however, due to the offset and orientation the impact would not be detrimental. The windows closest to the common boundary are also obscurely glazed, this includes the roof lights to both rear and side of the development, a number of which are bathrooms, which prevents any direct overlooking. These have also been restricted via conditions on the previous application, to protect neighbouring amenity. The central dormer window is to a stairwell and not a habitable room and is suitably located to have no direct impact.

8.15 Objections have been raised with respect to the party wall, landownership and access onto the site for services, these are all private matters to be resolved between the parties concerned.

9.0 Conclusion

9.1 The proposed amendments are appropriate, having no negative impact on the overall scheme as previously approved, and no significant detriment to neighbouring amenity.

10.0 Detail recommendation

10.1 Grant, subject to conditions as set out on previous planning permission, along with:

- Removal of Permitted Development Rights for extensions, outbuildings, and first floor windows.

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
----------------------------------------------	------------------------------------------------------------

Planning application no.	22/00037/FUL
Site	Land North West of 197 Staveley Road, Wolverhampton.
Proposal	Proposed 6 meters rear extension, front canopy and roller shutter
Ward	St Peter's;
Applicant	Mr Ali Jumaa Ahmad
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 Refuse and issue enforcement notice for unauthorised works

2.0 Application site

2.1 The retail unit was built following planning approval (17/00982/FUL) but has not yet been occupied. It is on a larger site with shared car parking with the adjacent Daffodils restaurant. There are surrounding mixed uses including retail and residential. The retail unit has previously been extended, a roller shutter installed and disabled parking spaces removed without permission and is subject to an enforcement notice. The unauthorised extension has been removed however there are still outstanding requirements of the notice to remove the roller shutter and reinstate the disabled parking spaces. An unauthorised rear canopy at the rear has subsequently been erected.

3.0 Application details

3.1 The application proposes to extend the rear of the retail unit to create a store room, staff room and toilets, and to install a front canopy and roller shutter at the front of the unit. The proposal will result in the loss of parking spaces and the delivery van turning space.

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 has received no objections from members of the public.
- 5.2 A councillor has expressed support of the application.

6.0 Consultees

- 6.1 Highways: Object

7.0 Legal implications

- 7.1 The Council may issue an enforcement notice where it appears there has been a breach of planning control under S172 Town and Country Planning Act 1990. [KR/11032022/B]

8.0 Appraisal

- 8.1 The retail unit was purpose built so should be large enough to be occupied with a retail use without the need of extensions. The proposed increase in retail space would require an additional 3 parking spaces.
- 8.2 The rear extension would be built over the existing delivery area. The new proposed delivery area would block up to five parking spaces. The creation of the front canopy would result in the loss of 3 further parking spaces. The car park is already heavily subscribed, and the loss of parking spaces would result in on street parking which is likely to have a significant impact on the location and the roads surrounding the development site.
- 8.3 The service and delivery vehicles may not be able to enter the site in a forward gear, to turn around within the layout and leave the site in a forward gear. This could result in service vehicles reversing in or out of the development site unaided due to the amount of parking that could be taking place on Great Hampton Street. This could cause significant highway safety issues with pedestrians using the adjacent footway and the development itself.
- 8.4 The roller shutter causes a deadening effect on the street scene and would have a negative impact on the visual amenity of the area.

9.0 Conclusion

- 9.1 The proposal would have a detrimental effect to the area particularly to highway safety due to the increased demand of parking spaces as well as the loss of parking spaces this development would cause.

10.0 Detail recommendation

- 10.1 Refuse and seek compliance with the existing enforcement notice and issue a new enforcement notice to remove the existing unauthorised roller shutter and canopy at the rear and to reinstate the parking spaces at the front.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
--------------------------------------------	-----------------------------------------------------

Planning application no.	21/01642/FUL	
Site	1 Clifton Road, Wolverhampton, WV6 9AN	
Proposal	Provision of two storey side extension to property (facilitates the internal reconfiguration of property and insertion of new windows to rear elevation).	
Ward	Tettenhall Regis;	
Applicant	Mr & Mrs T Jackson	
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	Vijay Kaul	Senior Planning Officer
	Tel	01902 553791
	Email	vijay.kaul@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Refuse.

2.0 Application site

- 2.1 Detached property forming part of a group properties comprising 1, 3 and 5 Clifton Road and 6 Stockwell Road. The property has previously benefitted from single storey extensions to the side, rear and front of building.
- 2.2 The application property is located in Tettenhall Greens Conservation Area, and along with 6 Stockwell Road fronting an area of public open space, are very prominently located from Clifton Road and Upper Green.
- 2.3 16, 18 and 20 Clifton Road opposite the application property are a red brick finished terraced group of Grade II Listed dwellings. Beyond which are Locally Listed 2-12 Clifton Road, a row of two storey cottages and 2-4 Stockwell Road a semi-detached pair, these dwellings have red brick ground floors with distinctive applied black and white timbering to the first floor.

3.0 Application details

3.1 Provision of two storey side extension to property to create a garden room on ground and a cantilevered first floor providing two additional bedrooms. This development would facilitate the internal reconfiguration of property to and insertion of new windows to rear elevation. The property would increase from two to four bedrooms on the first floor. There is also an existing guest bedroom and en-suite on the ground floor.

4.0 Relevant planning history

4.1 19/00234/FUL - Proposed two-storey side extension to form extended ground floor sitting room and additional first floor bedroom and bathroom – Granted 14 June 2019

4.2 05/0791/FP/R – Ground floor front extension including porch and two storey rear extension – Refused 15 July 2005

4.3 04/1615/FP/R - Two storey front extension, first floor side extension and erection of a conservatory at rear – Withdrawn 27 October 2004.

4.4 04/2047/FP/R – Ground floor front extension including porch and conservatory to the rear – Granted 8 April 2005

4.5 96/1094 – alterations and extension to existing garage to form new bedroom shower room and altered garage. Granted 20 January 1997

5.0 Relevant policy documents

5.1 National Planning Policy Framework (NPPF)

5.2 Planning Practice Guidance (PPG)

5.3 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
Tettenhall Neighbourhood Plan Area

6.0 Publicity

6.1 The application was advertised by direct neighbour notification, newspaper advert and a site notice. One representation was received and can be summarised as follows:

- Proposal would be over development and closes space to boundary
- Existing (approved) plans appear to be far less invasive or invading on my plot than the new proposed plans
- Adverse effect on conservation and the streets outlook and openness/space from Stockwell road

- Grass verge between the two properties has several large trees with TPO on them and is enjoyed by many in the summer and throughout the year along with the beautiful listed buildings in this vicinity.
- General separation distances and habitable windows need to be considered along with a light survey.

7.0 Consultees

- 7.1 Conservation Officer: Design would cause harm to conservation area.
- 7.2 Tree Officer: Subject to appropriate tree protection conditions in relation to foundation design the proposal could be constructed without having a detrimental impact on the health of the tree. Some concern raised about proximity of adjacent trees upon adjacent habitable rooms.

8.0 Legal implications

- 8.1 The legal implications arising from this report are detailed in the body of this report. SE/11032022/F.

9.0 Appraisal

- 9.1 The main issues for consideration are:
- Impact on character and appearance of the conservation area
 - Residential amenity
 - Tree impacts

Impact on character and appearance of the conservation area

- 9.2 The side elevations of the application site along with 6 Stockwell Road, currently offer relatively simple modern elevations in red-brick construction and plan tile roofs. Whilst of more modern appearance than the listed and locally listed dwellings, there is a sense of consistency in appearance and materials. The side gardens emphasise and enhance spaciousness in conjunction with the open space immediately adjacent, there is a clear view of the dwelling. The site currently makes a positive contribution to the character and appearance of the conservation area.
- 9.3 As seen within the planning history, there has been several attempts at this property to accommodate a two-storey addition. Most recent planning application 19/00234/FUL was approved for two-storey extension to create a sitting room and bedroom. The previous extension though projecting out minimally closer the boundary was in the form of a wing at a right angle to the side elevation, this was smaller, and provided a slender profile when viewed across the green allowing the original dwelling to be appreciated. As it did not span the entire width, overall there was a greater degree of spaciousness retained.

The extensive use of glazing and an oak frame provided a contrasting and contemporary design which sympathetically took account of the local heritage and character.

- 9.4 While the proposed extension would be set back from the main front elevation on Clifton Road, its size, design and massing obscuring the entire side elevation, incorporation of a twin gable roof against the plane of the existing roof, plus the introduction of cantilevered first floor, would diminish the simplicity of the original design of the house. That the proposal would involve the installation of timber cladding to the front, side and rear elevations of the property would represent an incongruous addition that would result in a loss of pleasing coherence which currently exists in the immediate setting. The accompanying design statement states the development would provide a 'grey backdrop to the trees' as it ages, however for the reasons set out above, this does not weigh in favour of the development. The glazing detail in the rear elevation adds further harm to the development.
- 9.5 The degree of alteration to the property would not preserve or enhance the character and appearance of the Conservation Area. The harm to the significance of the conservation area would be less than substantial and therefore it is necessary, in accordance with paragraph 202 of the National Planning Policy Framework, to consider any public benefits from the proposal. There does not appear to be any public benefits that would outweigh the harm that the proposal would cause to the character and appearance of the Conservation Area.

Residential amenity

- 9.6 Some concern has been expressed by the neighbour at 6 Stockwell Road. The proposed extension would not extend beyond the existing rear elevation, and therefore the distance to the boundary is considered acceptable to avoid an overbearing impact.
- 9.7 Proposed windows in the rear elevation serving a newly created en-suite and repositioned bedroom on the first floor would be 17.5m away from 6 Stockwell Road, this is less than the ideal 22m separation distance between habitable rooms. However, this is not closer than existing rear elevation windows and the plans indicate the use of obscure glazing and top opening windows (above 1.7m of the internal floor height). A condition could secure this provision permanently to protect the privacy of adjacent neighbour.
- 9.8 The proposed ground floor plan shows the inclusion of glazed roof in the rear conservatory, this minor addition would not cause any harm to neighbouring properties
- 9.9 Some concern is expressed by the Tree Officer about the impact of nearby trees on the outlook from and daylight to new first floor bedrooms and a ground floor existing living room. However, as plans show secondary windows serving these rooms, and any proposals to significantly prune the trees to reduce the impact on the application property that would result in a detrimental impact on the amenity value of long term health of the adjacent trees are likely to be resisted, on balance, refusal on this ground could not be sustained.

Tree Impacts

9.10 As trees on adjacent public open space are within a Conservation Area they are automatically protected. An Arboricultural Impact Assessment supports the proposal. The Council's Tree Officer confirms that further investigations would be required to inform foundation design to ensure no harm to protected trees, a condition could be attached to secure this.

10.0 Conclusion

10.1 The proposed extension would not preserve or enhance the character and appearance of the Conservation Area, this would be contrary to the Development Plan, and there are no material considerations or public benefits which would outweigh the harm identified.

11.0 Detail recommendation

11.1 Refuse planning permission on following ground:

The proposed two storey extension by virtue of its size, design and massing obscuring the entire side elevation, incorporation of a twin gable roof against the plane of the existing roof, plus the introduction of cantilevered first floor, would diminish the simplicity of the original design of the house respect and would not respect the established character. The installation of timber cladding to the front, side and rear elevations of the property would represent an incongruous addition when viewed in the surrounding context. The degree of alteration to the property would not preserve or enhance the character and appearance of the Conservation Area. There are no public benefits that would outweigh the harm that the proposal would cause to the character and appearance of the Conservation Area. This would be contrary to Saved UDP policies D7, D8, D9 HE4 and HE5, BCCS Policies ENV2 and ENV3, and Tettenhall Neighbourhood Plan Area Policy TNP12 Parts A, B, C, D.

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
----------------------------------------------	------------------------------------------------------------

Planning application no.	21/00011/TPO	
Site	Pumping Station, Goldthorn Hill, Wolverhampton, WV2 3JA	
Proposal	Confirmation Report for The Wolverhampton City Council (Goldthorn Hill Pumping Station) Tree Preservation Order 2021	
Ward	Blakenhall;	
Applicant	N/A	
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	James Dunn	Tree Officer
	Tel	01902 555621
	Email	james.dunn@wolverhampton.gov.uk

1.0 Summary recommendation

- 1.1 Confirm the Wolverhampton City Council (Goldthorn Hill Pumping Station) Tree Preservation Order 2021 without modification.

2.0 Application site

- 2.1 This Tree preservation Order (TPO) as served protects a small linear strip of woodland that is located within the grounds of the Goldthorn Hill Pumping Station, running along the boundary with the property at 152 Goldthorn Hill. The protected area runs from the front boundary with Goldthorn Hill to the rear boundary with the electrical substation and extends between 13 and 15 metres into the site.

3.0 Application details

- 3.1 The area of linear woodland subject to the order was identified for inclusion following an assessment of the amenity that it provides to the area. The trees, whilst not of the greatest individual size and quality, are collectively visually prominent from both the public highways of Goldthorn Hill and Upper Villiers Street and make a positive contribution to the amenity and landscape value of these areas. In particular the trees form a notable focal point when approaching along Upper Villiers Street from the north,

being a significant contingent of the visible vegetation along this substantially developed road.

- 3.2 With appropriate care and management these trees will serve to provide significant amenity to the area for a number of years to come.
- 3.3 The order has been served as a precautionary measure as future intentions to fell and prune trees are not always known in advance.

4.0 Relevant policy documents

- 4.1 Wolverhampton Unitary Development Plan (UDP) – Policy N7: The Urban Forest

5.0 Publicity

- 5.1 At the time of service, and in line with the statutory requirements, a copy of the order and associated documentation was served on the site owners and all owners of adjacent land that have a right to undertake works to the trees.
- 5.2 In response to the service of the order an objection was submitted on behalf of Western Power Distribution the owner and operator of the electrical sub-station and associated apparatus on the land immediately adjacent to the area of protected trees.
- 5.3 The objection was based on the potential for the trees to obstruct and disrupt the line of sight communication between the telecommunications mast (which provides telecommunication links between numerous other electrical plant operated by Western Power Distribution in relation to the safety and operational procedures of the wider electricity distribution network), and other parts of the local electric distribution network, and that Western Power Distribution “must have control over their height for the public benefit and the protection of the electricity distribution network”.
- 5.4 In relation of the function of the telecommunication apparatus the objection describes it as “essential to the security, protection and enhancement of the regional electricity distribution network across the West Midlands and in this particular area of Goldthorn Hill as well as the surrounding districts of Parkfields, Pennfields, Blakenhall, Upper Penn, Bradmore, Finchfield, Lanesfield, Conder Hill and Spring Hill. The continued supply of power is vital for viable communities and the economy of this area of the West Midlands. Failure to provide this service will mean that residents, communities and businesses are denied their basic right to continued viability for a sustainable community. In addition, the equipment is also host to the apparatus of the electronic communications providers of EE and Three.”
- 5.5 The objection further states that “Under the Electricity Safety, Quality and Continuity Regulations 2002 there must be stable and diverse connections between electricity substations and the relevant regional control centres which, in the West Midlands case, is located at Castle Donington. In the event of malfunction of electricity distribution equipment, a fault must be recognised and the system remotely shut down within 19

milliseconds or else major permanent damage will occur or put simplistically electrical explosion and fire.”

- 5.6 The objector also notes that Western Power Distribution has statutory rights under various legislation to prune or remove trees that interfere with the electronic communications network.

6.0 Consultees

- 6.1 None.

7.0 Legal implications

- 7.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for preservation of trees, they may make an order to that effect. Before confirming the Order, the local planning authority must consider any objections and representations duly made. [KR/11032022/C]

8.0 Appraisal

- 8.1 There is clearly a need for Western Power Distribution to be able to deliver, maintain and protect their electrical distribution network, and there is no dispute in relation to the possibility that the trees, in time, could have an impact on the telecommunications equipment. The objection is silent on whether there is any current or imminent interference.
- 8.2 However, such instances appear to have been foreseen when the relevant regulation and legislation has been drafted in that under the exceptions set out within 14(1)(a)(iii) or 14(1)(e) of the Town and Country Planning (Tree Preservation)(England) Regulations 2012; should the trees require pruning or removal in order to ensure the continued safe operation of the apparatus, Western Power Distribution have statutory rights as both a Telecommunication and an Licenced Electricity Distributor would be able to undertake any reasonably necessary works to ensure, or restore, the safe operation of the associate apparatus without any need for permission, or even referral to the Local Planning Authority.
- 8.3 Following discussion with the objector, it was agreed that in law the TPO would not present any obstacle to the Western Power Distribution undertaking the reasonably necessary works to the trees should a need ever arise, but the objector stressed that whilst the TPO would not prevent them from doing works, it could cause an administrative burden in dealing with any enquiries in relation to them working on protected trees.
- 8.4 Ultimately given the statutory powers that are given to the objector, there is, in practice, no significant difference to the objectors ability to use their powers to undertake works as necessary for the good operation of their apparatus, as a result of the TPO, and that whilst the TPO may result in increased enquiries requiring some administrative effort to process, this is not considered sufficient ground to prevent the confirmation of the order

which would protect the amenity that the trees provide of the area from any other pressures, such as redevelopment of the adjacent site, or other desire from the land owner to undertake works.

9.0 Conclusion

9.1 The trees subject to this order provide sufficient public amenity to justify their inclusion within the Tree Preservation Order. Whilst the points raised in objection the order are noted, they are not sufficient to prevent the confirmation of the order especially that given the statutory powers at the objector's disposal, the presence of a TPO would not prevent the resolution of the issues that are central to the objection.

10.0 Detail recommendation

10.1 Confirm the order without modification.

SCHEDULE

Specification of trees

Trees specified individually (encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE

Trees specified by reference to an area (within a dotted black line on map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

NONE

Groups of trees (within a broken black line on the map)

<i>Reference on Map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
-------------------------	-----------------------------------------------------------------------------	------------------

NONE

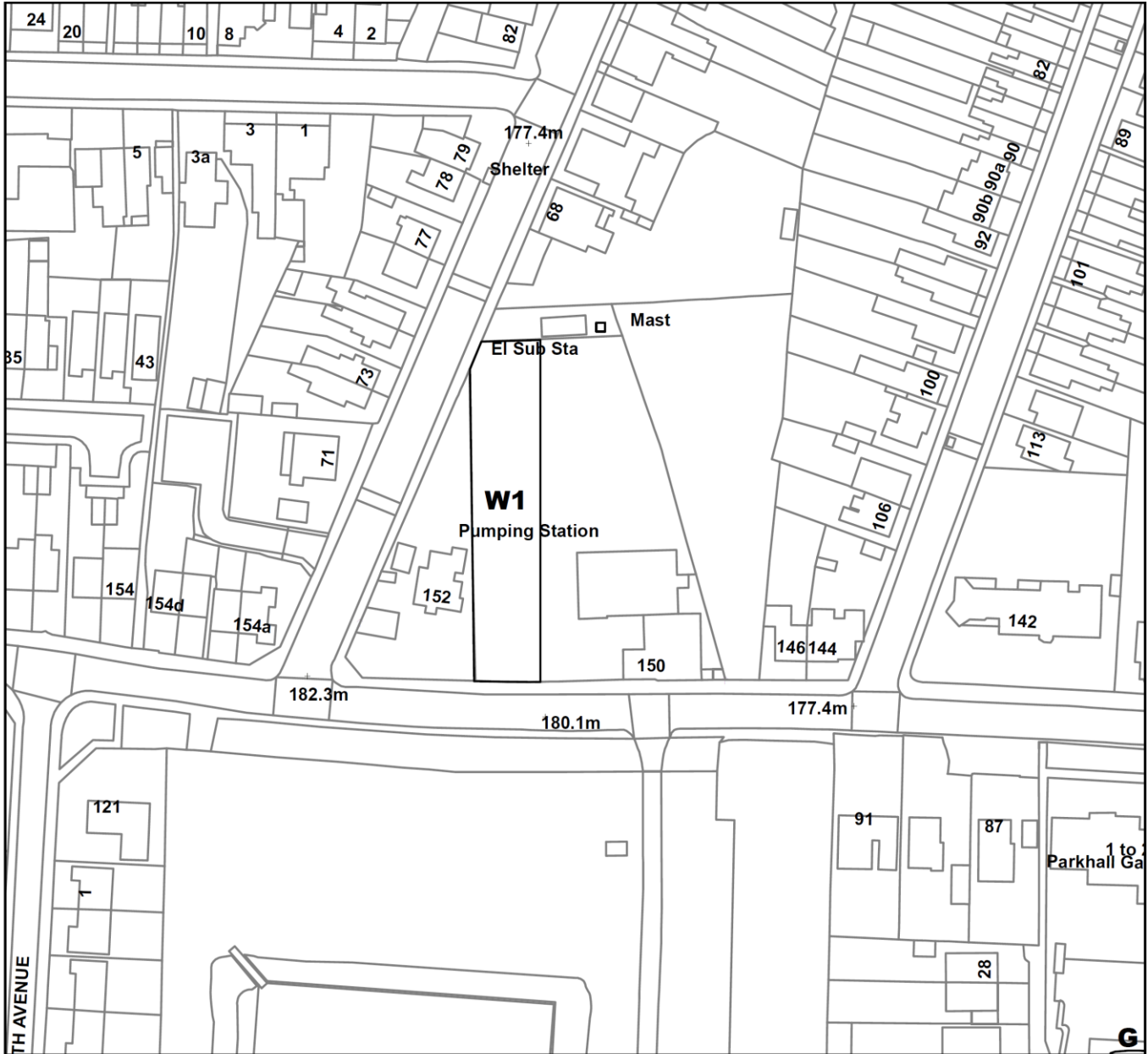
Woodlands (within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
W1	Linear Woodland of mainly deciduous species	Goldthorn Hill Pumping Station, Goldthorn Hill, Wolverhampton

The Wolverhampton City Council

CITY OF WOLVERHAMPTON COUNCIL

(Goldthorn Hill Pumping Station) Tree Preservation Order 2021



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2019.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Wolverhampton City Council
Department	Department
Comments	21/00011/TPO
Date	04/10/2021
MSA Number	100019537

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 March 2022
----------------------------------------------	------------------------------------------------------------

Planning application no.	22/00033/RC
Site	12 Yew Tree Lane, Wolverhampton, WV6 8UF
Proposal	Variation of condition – amendment to rendering required by previous condition
Ward	Tettenhall Regis;
Applicant	Mr Charnjit Ram
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	Charlotte Morrison Section Leader Planning Tel 01902 551357 Email charlotte.morrison@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions

2.0 Application site

2.1 The site is a semi-detached dwelling as part of a group of four properties with similar design. The surrounding area is predominantly residential with a mixture of dwelling types of different design and scale

3.0 Application history

3.1 A planning application (19/01285/FUL) was approved 9th January 2020 for a two-storey side and rear extension a loft conversion

3.2 A resubmission (20/00063/FUL) was refused on 17th February 2020. This application was to change the design of the front and to increase the width of the two-storey rear extension. The front design had an unacceptably adverse impact on the character of the area and the rear extension would be too overbearing.

- 3.3 An appeal was dismissed based on the front design only. The Inspectorate stated that the 2-storey extension was acceptable in terms of outlook, loss of light or privacy.
- 3.4 A planning application (21/00026/FUL) sought to deal with an amended plan following the Inspectors decision. The application was reported to planning committee who resolved to approve the application subject to a condition requiring that the whole of the extension be rendered to match the existing building.

4.0 Application details

- 4.1 This application is to vary the condition applied by planning committee, following a site visit, to the previous planning permission.
- 4.2 The applicant wishes to vary the condition to render the front of the property and the side, but to retain brickwork to part of the side (extension) and to the front elevation, including the original house.
- 4.3 A breach of condition notice has been issued in order to enforce the condition applied to the extension by Planning Committee. The notice refers to the extension only and does not (and could not) require the front of the original property to be rendered.

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 4 Objections from have been received raising the following relevant issues. This application has come to committee as a result of a neighbour requesting to speak.
- Out of character with the street scene as other properties in the row are fully rendered.
 - The original consent requires materials to match existing, and this should be render.
 - Not in accordance with the approved plans
 - Poor workmanship
 - Party Wall Issues

7.0 Consultees

- 7.1 None

8.0 Legal implications

- 8.1 The legal implications stemming from this report are set out below. KR/11032022/E

9.0 Appraisal

- 9.1 The other properties in the group are rendered apart from exposed brickwork to the lowest parts.
- 9.2 The original consent required the materials used in the extension of the property to match those of the existing property. The render from the front of the property has been removed by the applicant and as such it could be argued that matching materials would be brickwork rather than render.
- 9.3 As the property had not been rendered on the substantial completion of the development the breach of condition notice (only relating to the extension), was served requiring the works to be completed. Further action could be considered under this notice to require the rendering to be completed to the extension.
- 9.4 As the property had not been rendered on the substantial completion of the development a breach of condition notice was served requiring the works to be completed, further action could be taken under this notice to require the rendering to be completed to the extension.
- 9.5 Following discussion with the applicant the decision was taken to submit the planning application now under consideration. The applicant proposes to render the front of the property leaving a brick course to the bottom, the front of the garage and the porch being unrendered. This would be an improvement to the current requirements, which cannot require the original property to be rendered. Further the exposed brick work to the front of the garage is a successful contrast which retains the integrity of the original property whilst ensuring some brick features remain.
- 9.6 The main concern of a materials condition is to maintain the street scene. The applicant does not propose to render the rear of the property, including the extension and this would have been the case on the previous approval as he has chosen to remove the render from the front of the original property in its entirety.

10.0 Conclusion

- 10.1 The current proposal to render the front of the original property, the front of the approved extension and part of the side of the property are acceptable and the contrasting brickwork is of a reasonable level to strike the balance between the rendered and brick parts of the front.
- 10.2 The rendering of the rear part and the rear side part of the extension is not necessary to protect the design integrity of the host dwelling or the street scene.

11.0 Detailed recommendation

11.1 Grant planning subject to conditions:

- Render the proposed parts of the property within 2 months of the date of the planning permission
- Retain the render in its approved form for the lifetime of the development