

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

Venue Council Chamber - 4th Floor - Civic Centre

Membership

Chair Cllr Anwen Muston (Lab)

Vice-chair Cllr Gillian Wildman (Lab)

Labour

Cllr Olivia Birch
Cllr Lovinyer Daley
Cllr Celia Hibbert
Cllr Rashpal Kaur
Cllr Phil Page
Cllr Tersaim Singh
Cllr Jacqueline Sweetman

Conservative

Cllr Andrew Randle
Cllr Wendy Thompson
Cllr Jonathan Yardley

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
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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 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 3 - 6)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 22/01010/FUL - 334 Glentworth Gardens, Wolverhampton, WV6 0SN (Pages 7 - 12)
[To consider the planning application] |
| 6 | 22/01063/FUL - 21 Tettenhall Road, Wolverhampton, WV3 9NB (Pages 13 - 16)
[To consider the planning application] |

Attendance

Councillors

Cllr Anwen Muston (Chair)
Cllr Gillian Wildman (Vice-Chair)
Cllr Lovinyer Daley
Cllr Celia Hibbert
Cllr Rashpal Kaur
Cllr Phil Page
Cllr Andrew Randle
Cllr Tersaim Singh
Cllr Wendy Thompson

Employees

Donna Cope	Democratic Services Officer
Stuart Evans	Solicitor
Stephen Alexander	Head of Planning
Tracey Homfray	Planning Officer
Tim Philpot	Professional Lead - Transport Strategy

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillors Birch and Sweetman.

2 Declarations of interest

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

3 Minutes of the previous meeting

Resolved:

That the minutes of the previous meeting held on 12 July 2022 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **22/00155/FUL - Wednesfield Technology Primary School, Lichfield Road, Wolverhampton, WV11 1TN**

The Committee considered a report regarding 22/00155/FUL – New Primary School.

Tracey Homfray, Planning Officer, outlined the report and noted the following updates:

- A further three letters of objection had been received. Concerns were raised regarding the usage of a secondary entrance/exit onto Lichfield Road, however, this is for maintenance reasons only, and is not to be used by members of the public.
- The landscaping scheme had been updated and may negate the need for offsite planting.
- The drop off and pick up point would remain for the entirety of the school life and would remain as such unless otherwise agreed in writing by the Planning Authority.
- The restricted outside play times would be controlled by a school management plan which would be submitted to the Planning Authority for consideration.

Mr Tom Hallett addressed the Committee and spoke in support to the application.

The report was debated by Committee and although the development of a new school was welcomed, concerns were raised regarding traffic congestion, road safety, and the pick up and drop off point.

Councillor Page moved the recommendations within the report.

The Planning Officer responded to comments made and stated the following:

- Any further alterations would need to be considered by the Planning Authority.
- The pick up and drop off point would be marshalled by the school and CCTV would be in place.
- The school were looking into community use of the premises, and this would be controlled by a school management plan.
- A crossing would be installed as part of the Unilateral Undertaking.
- Electric charge points would be installed.

Councillor Hibbert seconded the recommendations.

Resolved:

That planning application 22/00155/FUL be granted subject to the signing of a Unilateral Undertaking including:

- Traffic Regulation Orders
- Pedestrian crossing

- Offsite planting for the loss of biodiversity on site

and any necessary conditions including:

- Unilateral Undertaking
- Removal of permitted development rights
- Materials
- Flood risk and drainage
- Recommendations of ecology reports
- Landscaping/Fencing/Acoustic Fencing
- School Travel Plan: access, circulation, drop off and pick up, and parking to be provided prior to occupation and managed as part of the Travel Plan
- Passivhaus design
- Commercial deliveries and collections time
- External lighting
- Acoustic fencing
- Construction Method Statement
- Restricted outside play times
- Electric charging points
- Traffic Regulation Orders
- Pedestrian crossing
- Bellmouth access
- Vehicular Circulation and drop off/pick up area to be provided and retained
- CCTV
- Protective fencing
- Cycle and motorcycle parking
- Hours of operation during construction
- Hours of deliveries and collections.

6 22/00229/FUL - 112 Wrottesley Road West, Wolverhampton, WV6 8UR

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

The Committee considered a report regarding 22/00229/FUL - Single storey rear, first floor side, double storey front and roof extensions.

Stephen Alexander, Head of Planning, outlined the report.

Mrs Jennifer Jones addressed the Committee and spoke in opposition to the application.

Mr Jake Sedgemore addressed the Committee and spoke in support to the application.

The report was debated by Committee, and concerns were raised regarding the proposed extensions and the negative impact they could have on neighbouring properties.

The Head of Planning responded to questions asked and explained that the proposals were acceptable.

Councillor Page moved that the application be deferred to allow further evaluation of the proposals and a submission of revised plans.

Councillor Hibbert seconded the motion.

The Head of Planning and Tim Philpot, Professional Lead for Transport Strategy, responded to the proposed motion and explained that the proposed plans were acceptable.

The proposed motion was debated.

Resolved:

That planning application 22/00229/FUL be deferred to allow further appraisal regarding the following concerns:

- The size of the front porch extension and the impact it could have on the street scene and available parking.
- The two-storey side extension and the impact it could have on space between buildings and character of the street scene.
- The size of the rear extension in respect of the impact it could have on the character of the area and outlook from the neighbours' windows.
- The closeness of the single-story extension to the boundary of the site.

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 15 November 2022
----------------------------------------------	---------------------------------------------------------------

Planning application no.	22/01010/FUL	
Site	334 Glentworth Gardens, Wolverhampton. WV6 0SN	
Proposal	Change of use from retail to car showroom.	
Ward	St Peter's	
Applicant	Zahirah Bibi	
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

1.1 Refuse.

2.0 Application site

2.1 Vacant shop in a parade of three large retail units with flats above in a predominantly residential area. The property is of masonry construction and was built in the 1980s. There is a forecourt to the front with shared parking and a shared service yard to the rear. To the west is a free standing public house with a large car park and to the north and east there is public open space.

3.0 Application details

3.1 It is proposed to use the ground floor for the sale of used and new cars bought from auction. It is not intended to sell vehicle recoveries. No repairs of vehicles would be undertaken on the site. Where necessary servicing of vehicles would be undertaken off site.

- 3.2 All vehicles would be driven to the site. No vehicles would be stored or displayed on the frontage, all vehicles for sale would be located within the showroom. Vehicles would not be washed on the site.
- 3.3 It is not proposed to extend the existing building. The rear access doors would be widened to allow cars to enter and exit the ground floor show room. The applicant's agent states vehicles for sale would be advertised online and there is no need for vehicles to be displayed at the frontage of the premises.
- 3.4 The car showroom would be staffed by one person and another person would be employed driving vehicles to site. Proposed hours of use are as follows:
- Monday to Friday 9am-5pm
Saturday 10am-4pm
Sundays and Bank Holidays closed.
- 3.5 The adjacent off licence is open 8am-10pm Monday to Saturday and Sunday 8am-9pm. The takeaway is open Monday to Sunday 4pm-11pm.

4.0 Relevant policy documents

- 4.1 The Black Country Joint Core Strategy and the saved policies of Wolverhampton's Unitary Development Plan, particularly policy EP5 - Noise Pollution. The aim of the policy is to ensure that developments do not lead to unacceptable noise disturbance.

5.0 Publicity

- 5.1 Three objections received on the following planning grounds:

- Impact on people living above the shop;
- Inappropriate location in residential area;
- Insufficient road space for a car lot;
- Insufficient parking;
- Increased traffic at rear of building;
- Lack of ventilation and extractor equipment;
- Cars backwards and forwards across an already overloaded rear area used for parking by residents.

- 5.2 Eight representations support for the following reasons:

- Re-use of vacant unit;
- Proposed use would discourage rough sleeping, street drinking, anti-social behaviour, litter, drug use and fly tipping;
- Showroom would be less busy than adjacent shops;
- Steady business, mostly online appointments, no impact on residents;
- Open and close at reasonable times;

- Unsightly shutters would be rolled up;
- Business and investment should be supported for benefit of local area;
- Car show room is a professional business.

6.0 Consultees

6.1 Transportation:

- This site is in an area that has been identified as being outside of a 'highly accessible' area according to the criteria set out in the City of Wolverhampton Councils Unitary Development Plan (UDP).
- The Council does not have specific car parking standards for a car showroom. However, in these circumstances the development must still meet its own Transportation needs with no detriment to pedestrian safety and the safe and free flow of road traffic.
- There are also five existing residential units located at first floor level which need to be considered. According to the standards that are set out in the UDP, for a residential development of this type at this location, there should be an off street car parking provision of 1.5 spaces per unit.
- The developers have submitted a plan showing the existing shared car park located at the front of the site provides parking for up to 12 cars. This car parking provision is acceptable from a Transportation point of view.
- The developers have stated in the Design and Access Statement that "none of the 12 car parking spaces are to be taken up for car sales" and "the car park and private road to the front is not to be used as a sales forecourt". These points could be conditioned and that all car sales must be displayed within the building if the application is granted.
- Servicing of the proposed car showroom is the major Transportation concern associated with this proposal. Car showrooms are usually serviced by large car transporters. This type and size of vehicle accessing the proposed development could not be supported by the Transportation Service due to the significant impact it would have on Glentworth Gardens itself and the nearby junction of Glentworth Gardens with Gorsebrook Road. However, the developers have stated in the Design and Access Statement Point that "all vehicles will be driven to the site". Therefore, should the application be granted, a condition that all vehicles will be driven to the site and not transported to the site by any sort of vehicle would be necessary.
- An electrical charging point condition would be required if the application is granted.

6.2 City Assets – Unacceptable use, not in keeping with the locality.

6.3 Wolverhampton Homes – Raise concerns about impact on people living above and insufficient parking.

7.0 Legal implications

7.1 There are no legal implications arising from the report. [SE/08112022/A]

8.0 Appraisal

8.1 Please note, the ownership of the property is not a material planning consideration. There are three key planning issues:

- Re-use of a vacant unit;
- Parking and highway safety;
- The potential impact on neighbours' amenities.

Re-use of a vacant unit

- 8.2 The property is currently vacant. The previous use was as a furniture shop. This is a large double fronted shop recessed underneath a canopy with a solid roller shutter painted green. It is one of only three shops in this parade and the adjacent hot foot take away does not open until 4pm. The closed roller shutter looks unattractive and is a "dead" frontage. The proposal would have the benefit of improving the appearance of the premises during opening hours, which would improve the street scene. Having an active use in the shop during the day would to a certain extent discourage anti-social behaviour, particularly immediately in front of the shop.
- 8.3 The proposal would have the benefit of creating two jobs and there would be investment required to implement the change of use.

Parking and highway safety

- 8.4 Servicing of the proposed car showroom is the major Transportation concern associated with this proposal. Car showrooms are usually serviced by large car transporters. However, in this case, the applicant proposes to have the vehicles driven to site individually. The applicant's agent states:
"It is not proposed to create a second hand car lot, this is very old hat. People searching for a second-hand car use the internet as their first port of call and then arrange for a viewing having narrowed the field down to a select few to inspect".
- 8.5 A condition could be applied that all vehicles will be driven to the site and not transported to the site by any sort of vehicle. Therefore, a highway safety reason for refusal based on the servicing of the premises would not be justified.
- 8.6 The proposed car parking provision is acceptable. If the application was approved a condition could restrict the display of vehicles for sale to the inside of the building.

Neighbours' amenities

- 8.7 The key issue is the impact on the residents of the five flats immediately above the shops. There are four flats above the shops with large front balconies over the front of the shops. The proposed showroom would be in the largest of the three units that extends outwards to the rear with a flat above the rear of the showroom. This flat has a side balcony overlooking the rear service yard and the public open space beyond. There is an array of windows over and very close to the rear service yard.
- 8.8 The proposal involves widening the existing access doors immediately below the balcony of the flat to the rear. Two of the flats have their doors in the corner of the service yard close to the proposed widened access. The proposed layout shows eight cars displayed

inside the shop. The cars would be individually driven into and out of the shop and manoeuvred into position within the shop below the flats above. The proximity of the flats to these vehicle movements would be inherently unneighbourly. The manoeuvring of vehicles inside a building with habitable rooms immediately above is not acceptable. During the day, when the showroom is proposed to open, people would be coming and going from their flats, as would their visitors and callers. Also, they would be more likely to have their windows open during the day. The noise from the proposed coming and going of cars to the rear of the premises, and inside it, would cause noise disturbance that would harm the amenities of the existing and future occupiers of the flats.

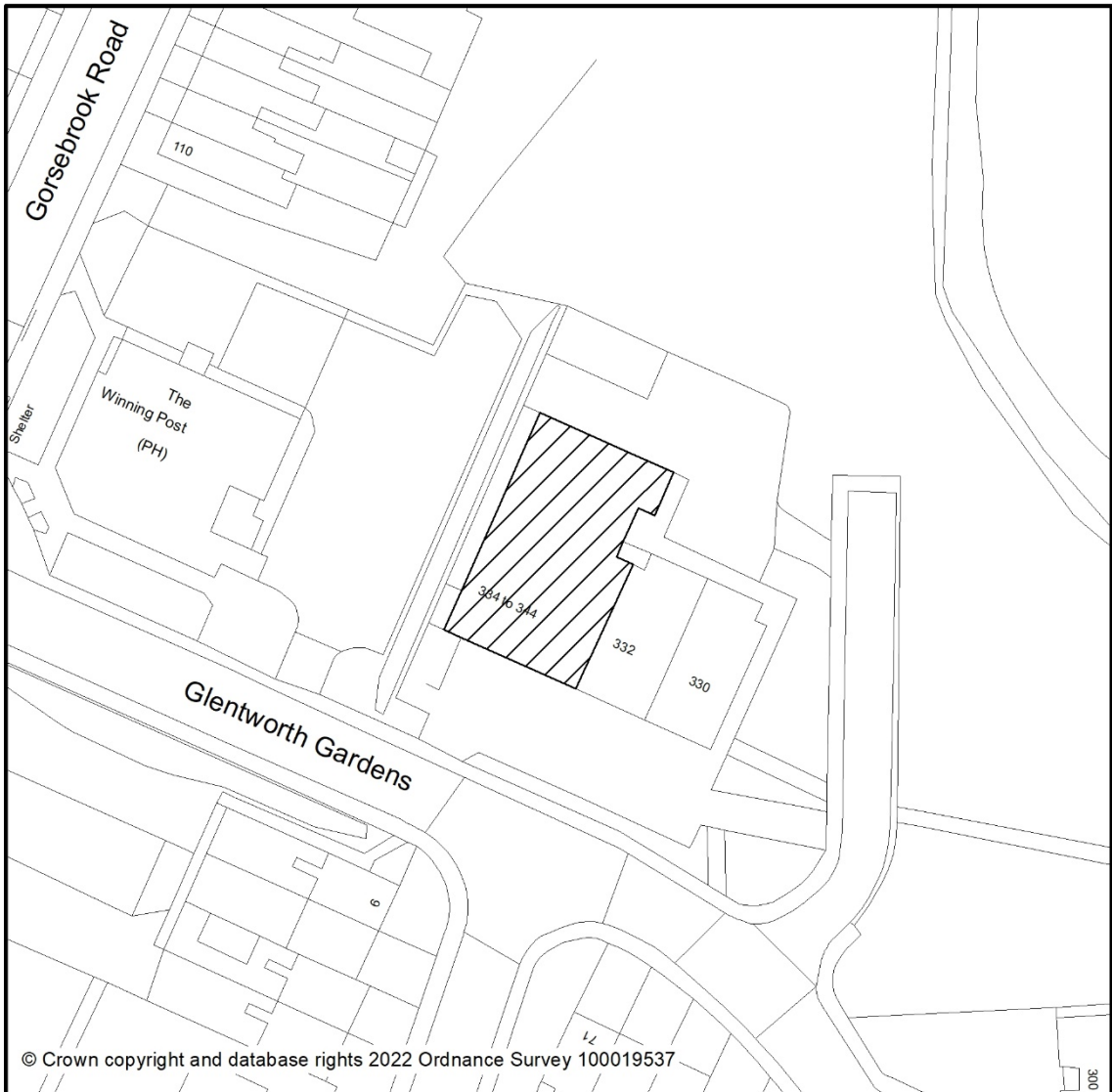
- 8.9 No details has been provided of ventilation and extractor equipment but this issue could be dealt with by way of condition.

9.0 Conclusion

- 9.1 The proposal will involve the enlargement of a rear access and vehicles being driven into and out of a large shop, and manoeuvred into place inside the shop. These activities are inherently unneighbourly given the proximity of people living directly above the shops. Whilst there would be benefits arising from the proposal as set out above this would not outweigh the harm to neighbours' amenities. On balance, the proposal is unacceptable and is recommended for refusal.

10.0 Detail recommendation

- 10.1 Refuse – noise disturbance of residents of flats above from coming and going of vehicles into and within showroom, contrary to Wolverhampton's Unitary Development Plan Policy EP5.



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 15 November 2022
----------------------------------------------	---------------------------------------------------------------

Planning application no.	22/01063/FUL	
Site	21 Tettenhall Road, Wolverhampton, WV3 9NB	
Proposal	Change of use from a 4 bedroom dwelling to a short tenancy guest house with 5 individual rooms available to book	
Ward	Park;	
Applicant	Dr Ian Gobo	
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	Haley Johnston	Planning Officer
	Tel	01902 553820
	Email	Haley.johnston@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Refuse.

2.0 Application site

2.1 The application site consists of a terraced dwelling forming part of a group of rendered properties along Tettenhall Road.

2.2 The application site is located in the Tettenhall Road Conservation Area.

2.3 Salisbury House, 2-2a Tettenhall Road, is a rendered Grade II listed building and is opposite the application site. Along Tettenhall Rd, just a few properties north of the application site, are the Grade II Listed Blenheim Terrace dwellings.

3.0 Application details

3.1 Provision of four double bedrooms and one single bedroom available for booking, resulting in the potential for nine guests to be accommodated at the application site. Booking of these rooms would be via online booking platforms such as Airbnb and Booking.com.

3.2 The business plan submitted by the applicant said there would be an onsite manager, however, the agent has now clarified that is not the case. There would be two

cleaning/housekeeping staff employed on a part time basis. The use of the ground floor kitchen and dining room would be a shared space for guests.

4.0 Relevant planning history

4.1 C/1034/91 – Change of use from offices to chiropody practice and office – Granted 1991.

4.2 00/1085/FP – Change of use from office/medical practice to 3 bedroom terraced dwelling house – Granted 2000.

5.0 Relevant policy documents

5.1 The Development Plan:

Wolverhampton Unitary Development Plan (UDP)

- D11 - Access for People with Disabilities
- AM12 - Parking and Servicing Provision
- AM15 - Road Safety and Personal Security
- EP5 - Noise Pollution

Black Country Core Strategy (BCCS)

- TRAN2 - Managing Transport Impacts of New Development

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 cause serious lack of parking spots for current residents
- Already existing insufficient parking in the parking bay outside the terrace properties on Tettenhall Road

7.0 Consultees

Transportation

7.1 This site is located in an area that has been identified as being a 'highly accessible' area according to the criteria set out in the City of Wolverhampton Councils Unitary Development Plan (UDP). Furthermore the proposed site is located within the boundary of Wolverhampton City Centre, as set out in the UDP. The A41 Tettenhall Road is a classified road that attracts high volumes of traffic throughout the entire day.

7.2 The proposed guest house development, accommodating 5 individual guest bedrooms, is likely to generate an increase in car parking demand and an increase in vehicle trips when compared to the existing family home development.

7.3 The additional car parking demand will be generated at a location that is already very heavily subscribed with on-street parking, due to the existing terraced dwellings that are located along this section of Tettenhall Road.

- 7.4 The developers have suggested that parking is available surrounding West Park. This parking is remote from the proposed development and would not be used.
- 7.5 The lack of any off-street parking provision would result in disabled users having to compete with the residents of the existing nearby dwellings for the limited parking space that is available on Tettenhall Road. Therefore, there is no guarantee that disabled users would be able to park close to the entrance to the building. Furthermore, disabled users would be required to exit and enter their vehicles on Tettenhall Road, and this is also a Transportation concern due to the volume of traffic, and the type of traffic using the classified road.
- 7.6 Servicing of the proposed guest house development will need to take place from Tettenhall Road, as is the case with the existing family home and the adjacent properties. With regards to refuse collection, it will be the responsibility of the guest house development itself to put their refuse bins out for collection of the appropriate day.
- 7.7 Transportation cannot support this change of use application as there would be an unacceptable impact on highway safety.

8.0 Legal implications

- 8.1 The legal implications arising from this report are detailed in the body of this report.
[SE/08112022/B]

9.0 Appraisal

- 9.1 The main issues for consideration are:
- Impact on parking along Tettenhall Road
 - Residential amenity

Impact on parking along Tettenhall Road

- 9.2 The application could result in strain on parking availability along Tettenhall Road. Whilst it is noted that there are bus stops nearby, short-stay occupants unfamiliar with Wolverhampton may be more likely to come by car. Those arriving by car would likely park outside the application site for ease of unloading luggage/belongings. The applicant has stated they would seek to create a triple cycle store at the rear of the site, but visitors cannot be prevented from driving to the site.
- 9.3 If all five rooms are fully booked then there is the potential for an increased demand on the available parking spots above the assumed level for a dwelling in single occupation. While the Clifton Road Car Park is a four minute walk away, and there is parking surrounding West Park, visitors are likely to seek available spaces outside the property in preference to the car park as it provides convenience and natural security for their vehicle in being able to monitor it on the street.
- 9.4 Additional demand for parking would be two staff employed at the property. As staff need to visit after each stay, this would generate multiple additional visits each week.

- 9.5 The applicant has not provided for any off street or guaranteed disabled parking. This would result in them competing with residents of the existing dwellings for the limited parking spaces available on Tettenhall Road.
- 9.6 The applicant provided a list of neighbouring uses, with several of the terraces being single dwellings but many converted from two to six-bedroom flats. These properties already generate demand for parking along Tettenhall Road.
- 9.7 The inadequate parking for the proposed use would have an unacceptable impact on highway safety.

Residential amenity

- 9.8 There is concern regarding the noise impact from guests staying at the application site. The applicant has proposed internal noise attenuating insulation along walls to neighbouring properties, shown on their proposed Floor Plans. However, this would not eliminate nuisance and noise from the guests staying at the application site. Also, the use of the outside space by gatherings could create nuisance.
- 9.9 There is the potential concern for parties to take place at the property. The applicant's Management Plan states that a guest is only able to book a maximum of two rooms, but the booking of further rooms by multiple guests to create conditions for larger gatherings cannot be ruled out.
- 9.10 Though stated in the submitted Business Plan, there will not be an on-site Manager at the property. They have stated that issues will be resolved remotely. Therefore, there is not an ability to break up gatherings prior to generating nuisance issues.

10.0 Conclusion

- 10.1 The proposed intensification of occupation, and transient pattern of occupancy, of short term let accommodation with associated service provision, all combine to increase general comings and goings to the property, which would put a strain on the parking situation along this busy stretch of Tettenhall Road and have an adverse impact on neighbour amenity due to noise. Therefore, the application is not in accordance with the Development Plan.

11.0 Detail recommendation

- 11.1 That planning application 22/01063/FUL is refused.
- 11.2 The proposed use would generate a significant increase in car parking demand and a significant increase in vehicle trips to the detriment of highway safety and cause noise impacts to the detriment of the amenities of the occupiers of the neighbouring properties, contrary to UDP Policies D11, AM12, AM15 and EP5, along with the Black Country Core Strategy policy TRAN2.