

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

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

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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 - 4)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 22/01099/FUL - 116 Linden Lea, Wolverhampton, WV3 8BE (Pages 5 - 12)
[To consider the planning application] |
| 6 | 22/01493/FUL & 22/01494/LBD - Former Porters Lodge, Royal Hospital Development Site, Cleveland Road, Wolverhampton (Pages 13 - 16)
[To consider the planning application] |
| 7 | 22/01049/OUT - Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton,
(Pages 17 - 24)
[To consider the planning application] |
| 8 | 22/01088/FUL & 22/01089/LBC - Heath Town Baths And Library, Tudor Road, Wolverhampton, WV10 0LT (Pages 25 - 36)
[To consider the planning application] |
| 9 | 22/01199/FUL - 4 Beach Avenue, Wolverhampton, WV14 9BS (Pages 37 - 42)
[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 Jacqueline Sweetman
Cllr Wendy Thompson
Cllr Jonathan Yardley

Employees

Donna Cope	Democratic Services Officer
Stuart Evans	Solicitor
Stephen Alexander	Head of Planning
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 Councillor Olivia Birch.

2 Declarations of interest

There were no declarations of interest.

3 Minutes of the previous meeting

Resolved:

That the minutes of the previous meeting held on 20 September 2022 be confirmed as a correct record and signed by the Chair.

4 Matters Arising

There were no matters arising.

5 22/01010/FUL - 334 Glentworth Gardens, Wolverhampton, WV6 0SN

The Committee considered a report regarding 22/01010/FUL - Change of use from retail to car showroom.

Stephen Alexander, Head of Planning, outlined the report.

Mr Richard Taylor addressed the Committee and spoke in support of the application.

The Head of Planning responded to statements made and confirmed that all consultee responses were contained within the report.

The report was debated by Committee, and despite concerns regarding potential disruption, most members felt that the development would be beneficial to the area; in particular, reducing anti-social behaviour on the vacant site and supporting local investment.

The Head of Planning responded to questions asked.

Councillor Hibbert moved that the application be granted subject to the conditions proposed by Transportation within the report.

Councillor Wildman seconded the motion.

The proposed motion was debated, and the Head of Planning and the Professional Lead in Transport Strategy, responded to concerns raised, assuring members that all concerns raised would be controlled by way of condition.

Resolved:

That the planning application 22/01010/FUL be granted subject to the following conditions:

1. Opening times - Monday to Friday 9am to 9pm; Saturday 10am to 4pm; closed Sundays and Bank holidays.
2. No vehicles to be stored, displayed or washed on the frontage of the premises; all vehicles for sale to be displayed in the show room only.
3. A scheme of ventilation and provision of a fume's extractor and noise insulation for the premises to be agreed with the LPA prior to the commencement of development.
4. A scheme for the erection of external and internal electrical chargers to be agreed in writing with the LPA if deemed reasonable prior to the commencement of development.
5. Cars not to be delivered to the premises by car transporter.
6. No services or repair of cars to take place at the premises.

6 22/01063/FUL - 21 Tettenhall Road, Wolverhampton, WV3 9NB

Planning application 22/01063/FUL had been withdrawn from Planning Committee so therefore was not considered.

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 17 January 2023
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Planning application no.	22/01099/FUL	
Site	116 Linden Lea, Wolverhampton, WV3 8BE	
Proposal	Proposed two storey roof extension, single storey rear extension, new porch, boundary treatment & landscape works.	
Ward	Tettenhall Wightwick	
Applicant	Jacob Lowe	
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	07771 836400
	Email	Stephen.alexander@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to conditions.

2.0 Application site

2.1 The site is a brick and tile bungalow on a corner plot with a large front and side garden. It is in a residential area with a similar property on the opposite corner. The area is characterised by typical 1960s brick and tile houses with spacious front gardens. The houses on Linden Lea are mostly two storeys. There are other examples along the road of corner bungalows either side of cul-de-sacs. There is a mix of dormer bungalows and single storey dwellings in the adjacent cul-de-sac.

3.0 Application details

3.1 The proposal is to enlarge the existing bungalow to create a two storey dwelling. The proposed first floor element would create three bedrooms on the corner part of the existing bungalow, set away from the adjoining neighbour, with relatively steep roofs typical of the area and dormer style windows. The proposal includes a large single storey rear extension, a new porch and new boundary treatments and landscaping.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF). This encourages high quality design and “beautiful” buildings.
- 4.2 The Development Plan: Wolverhampton Unitary Development Plan (UDP), Black Country Core Strategy and the Tettenhall Neighbourhood Plan (TNP).
- 4.3 UDP policy D8 “Scale - Massing” aims to ensure that proposals make a positive contribution to an area through appropriate scale buildings that do not harm people's amenities.
- 4.4 UDP policy D9 “Appearance” encourages high quality architecture, individual expression and a variety of architectural style. It is proper to reinforce local distinctiveness, but if a design is of a sufficiently high standard it will help create urban richness and diversity.
- 4.5 TNP policy 12A “New Development to Respect Existing Local Character” aims to ensure that extensions are of a scale and form in keeping with the surrounding area, including roof profiles, and they should aim to match the existing materials and detailing of surrounding buildings.

5.0 Publicity

- 5.1 Nine representations have been received objecting on the following grounds:
 - Adverse impact on street scene as the 1960s layout was clearly designed with bungalows on the corners and introducing a two storey dwelling would be out of keeping with rest of street;
 - Increase in roof height is excessive. Design, scale and form inappropriate, and out of scale and character;
 - Impact of proposed boundary wall on drivers’ visibility coming around the corner;
 - Impact on neighbours’ amenities: loss of light, impact on outlook and loss of privacy from overlooking;
 - Two storey obtrusive on the corner and forward of building line of the two storey properties in the cul-de-sac;
 - Boundary wall and tiered landscaping out of character with low walls and open frontages in the area;
 - Insufficient parking;
 - Proposed building materials out of character in size, form, colour and texture with appearance of the street scene. Style of windows in porches and dormers inappropriate.
 - Loss of a much needed bungalow.

6.0 Consultees

- 6.1 Transportation - The vehicle access to the proposed house will be reusing the vehicle access to the existing house, and that the existing vehicle access will be widened to accommodate the additional parking space that is being delivered within the curtilage of the property.
- 6.2 The proposed boundary treatment along the back of footway of Linden Lea (main carriageway) and the initial section of Linden Lea (cul-de-sac) should not exceed 0.6 metres in height. This is required so that the proposed boundary treatments do not impact on the visibility of pedestrians (including children) using the adjacent footways of vehicles exiting the driveway of 116 Linden Lea and exiting Linden Lea (cul-de-sac). The proposed box hedge boundary treatment along the back of footway of Linden Lea (cul-de-sac) appears to be set back far enough from Linden Lea (main carriageway) so that it does not create visibility issues for vehicle turning into Linden Lea (cul-de-sac) or leaving Linden Lea (cul-de-sac). However, the proposed box hedge boundary treatment should not exceed 0.9 metres in height so that it does not impact on the visibility of vehicles travelling along Linden Lea (cul-de-sac) and pedestrians using the footway of vehicles exiting the driveway of 114 Linden Lea.
- 6.3 According to the standards that are set out in the City of Wolverhampton Councils Highways and Transportation Technical Guidance Note, houses with four (and above) bedrooms outside of a 'highly accessible' location should be delivering three off-street parking spaces. The submitted layout of the proposed house accommodates the amount of car parking that would meet the standards set out by the Council, for this size of house at this location.

7.0 Legal implications

No legal implications (MAK/SE/06/01/2023/1).

8.0 Appraisal

- 8.1 There is no planning objection in principle to enlarging an existing bungalow in a residential area and creating a two storey dwelling if it does not cause demonstrable harm. The loss of one bungalow to the area's housing stock would not justify a planning reason for refusal. The key issues are the impact of the proposal on the character and appearance of the area, the impact on neighbours' amenities and highway safety.

Character and Appearance

- 8.2 The two storey extension is in on the corner above the existing ground floor of the property. It is well proportioned and designed to create a cohesive dwelling. Whilst it would be larger than the existing bungalow and the bungalow opposite it would not appear obtrusive in the street scene. The building would be smaller than many of the houses on the street. A two storey dwelling on the corner would be a change from the original 1960s design, however, the attractive character of the street derives principally from the relatively large verdant front gardens, and these would be preserved.

- 8.3 The existing original 300mm stone wall would be retained. A second and third sleeper wall 800mm in height would be placed behind this to the side of the house set back from the corner and connecting to the front corner of the house. Boundary treatments under one metre in height are permitted development and the proposal would appear acceptable in the street scene. The highway safety aspects of the proposed boundary treatments are considered below.
- 8.4 Dwellings in this section of Linden Lea are mostly of red brick with hanging tiles in dark green, and red or grey roofing tiles. A few of the houses have been rendered and many have replacement windows, but the prevailing appearance is characterised by the predominance of redbrick. The application form does not specify materials, but the submitted illustration suggests hanging tiles would be black or grey and the existing walls would be rendered in a light colour. The windows in the neighbouring properties are rectangular in shape, typical of the 1960s. The proposed style of porch and window are pointed which is unusual in this area. The window design, render and colours have been proposed by the architect to create a comprehensive design that would juxtapose with the 1960s design of the neighbours. In my view this cohesive design on this corner plot would add visual interest and variation to the street scene. In this case, the architect has designed a well-proportioned building that will enhance the character of the area by introducing a contrast on a corner building. The proposed form of the building and the steeply pitched tiled roof with dormer windows are in keeping with the area. A condition can ensure that high quality materials are used, including good roof tiles, windows and the proposed render which should be a pale through colour render.
- 8.5 The single storey extension will not adversely impact the street scene.

Neighbours' amenities

- 8.6 It is acknowledged there will be an impact on the outlook from the side facing first floor bedroom window of the adjacent house, no 118. The roof of the proposed two storey element slopes away from this window and would be more than three metres higher than the existing roof. It would be approximately 16m from the window to the pitch of the roof. This will change the outlook from the bedroom window but would not be so close as to appear overbearing. The single storey roof near this window would be raised by 37cm but this would not be significant or obtrusive.
- 8.7 There would be no significant loss of daylight or sunlight to any of the neighbours' habitable room windows that would justify a planning reason for refusal.
- 8.8 A concern has been raised by a neighbour that the proposed second floor bedrooms would overlook the bedrooms of 98 Linden Lea, the bedroom/bathroom of 118, and the windows of 114. The relationship between the windows of the proposed extension and the neighbours' windows is such that there would not be a significant loss of privacy that would justify a planning reason for refusal.

Highway Safety

- 8.9 The proposed boundary treatments and planting will not obscure highway visibility. A condition can ensure that any future planting does not obscure highway visibility.
- 8.10 There is sufficient off road car parking for the proposed development.

9.0 Conclusion

- 9.1 This is an enlargement of an existing bungalow to create a two storey house. The proposal has been carefully designed in a contemporary style. The form of the proposed dwelling is like many of the dwellings in the street. Whilst the introduction of new extensions will result in a larger building, this change would not harm the attractive and verdant character of the area. The house is well designed, and the proposed materials will add to the visual interest of the street scene on this corner plot.
- 9.2 There will be no harm to the amenities of the existing and future occupiers of the neighbouring properties and there is no planning reason that would justify a reason for refusal in this case.
- 9.3 The parking provision is acceptable and there would be no adverse impact on highway safety.
- 9.4 The proposal is in accordance with the Development Plan and is acceptable.

10.0 Detailed recommendation

- 10.1 Grant subject to any necessary conditions including:
- Materials;
 - Maintenance of landscaping at low levels for vehicle visibility in areas specified.



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 17 January 2023
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Planning application no.	22/01493/FUL and 22/01494/LBD	
Site	Former Porters Lodge, Royal Hospital development site, Cleveland Road	
Proposal	Proposed extensions and alterations to the former Porters Lodge building to provide a shop/cafe/restaurant falling within Use Class E "Commercial, Business and Service", Parts (a) Display or retail sale of goods, other than hot food, and (b) Sale of food and drink for consumption (mostly) on the premises	
Ward	Ettingshall;	
Applicant	All Saints Action Network Ltd	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Phillip Walker	Planning Officer
	Tel	01902 55 5632
	Email	phillip.walker@wolverhampton.gov.uk

1.0 Summary recommendations

1.1 Grant applications 22/01493/FUL and 22/01494/LBD subject to conditions.

2.0 Application site and background

- 2.1 The application site includes the former Royal Hospital Porters lodge, which is within the Royal Hospital development site, a roughly four hectare site, located to the south east of Ring Road St Georges. The whole of the site is located within the Cleveland Road Conservation Area.
- 2.2 The original 1849 former Royal Hospital and its Victorian and Edwardian extension wings are Grade II listed. The lodge was built in 1863 and is a small (100sq.m) single storey structure located on the corner of Cleveland Road and Vicarage Road. It is a curtilage listed building.

- 2.3 Planning permission and listed building consent (22/01493/FUL & 22/01494/LBC) have been granted to convert the main former Hospital building into 38 apartments and to change the use and carry out works to convert the lodge building to a shop, café/restaurant. The permission also allowed for the erection of 98 houses and 32 apartments on land at the rear of the Royal Hospital building, and the demolition of the former Nurses Home and the erection of a replacement apartment block including 24 flats.
- 2.4 The works to convert and refurbish the former Royal Hospital building to apartments commenced in late 2021. The former Nurses Home has now been demolished and the replacement apartment building is being constructed. Significant progress has also been made to erect new housing and apartments elsewhere at the site.
- 2.5 At the former bus garage site, which is on the opposite side of Cleveland Road from the Royal Hospital building, new apartments, houses and a YMCA building have been erected and are now occupied.

3.0 Application details

- 3.1 Two associated applications have been submitted.
- 3.2 22/01493/FUL: 'Full' permission is sought for proposed extensions and alterations to the former Porters Lodge building and surroundings to provide a shop, cafe/restaurant falling within Use Class E "Commercial, Business and Service", Parts (a) Display or retail sale of goods, other than hot food, and (b) Sale of food and drink for consumption (mostly) on the premises.
- 3.3 22/01494/LBC: This listed building consent application proposes: Retention, conversion, extensions and alterations to create a shop or café/restaurant.
- 3.4 It is proposed that the premises will be operated by All Saints Action Network. They say that they aspire for the premises to become an important community meeting place.

4.0 Relevant Planning history

- 4.1 20/01358/FUL & 20/01330/LBC - See 2.3 for details

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
City Centre Area Action Plan

6.0 Publicity

- 6.1 Councillors Beverley Momenabadi, Sandra Samuels and Zareena Russell have expressed their support for the proposals.

7.0 Consultees

7.1 Transportation – No objections.

8.0 Legal implications

8.1 There are no legal implications arising from this report (MAK/05/01/2023/1).

9.0 Appraisal

9.1 The principle of converting the former lodge building for use as a shop, café / restaurant has already been established by the granting of previous planning permissions for these uses.

9.2 The proposed extensions and alterations to the lodge building represent a high-quality design solution including careful and sympathetic restoration and extension of the existing historic fabric, which respects local character and history, including the surrounding built environment and landscape setting. The single storey extension, including attractive glazing, would preserve and enhance the character and appearance of the building, whilst offering functional meeting and dining space. There would be external seating, which would assist with establishing and maintaining a strong sense of place, add vibrancy to the street scene, creating an attractive, welcoming and distinctive place to live, work and visit.

9.3 The site is in a highly sustainable location, in walking distance to the city centre and surrounding residential areas. Satisfactory servicing arrangements, including an enclosed bin store area at the rear of the lodge, is proposed.

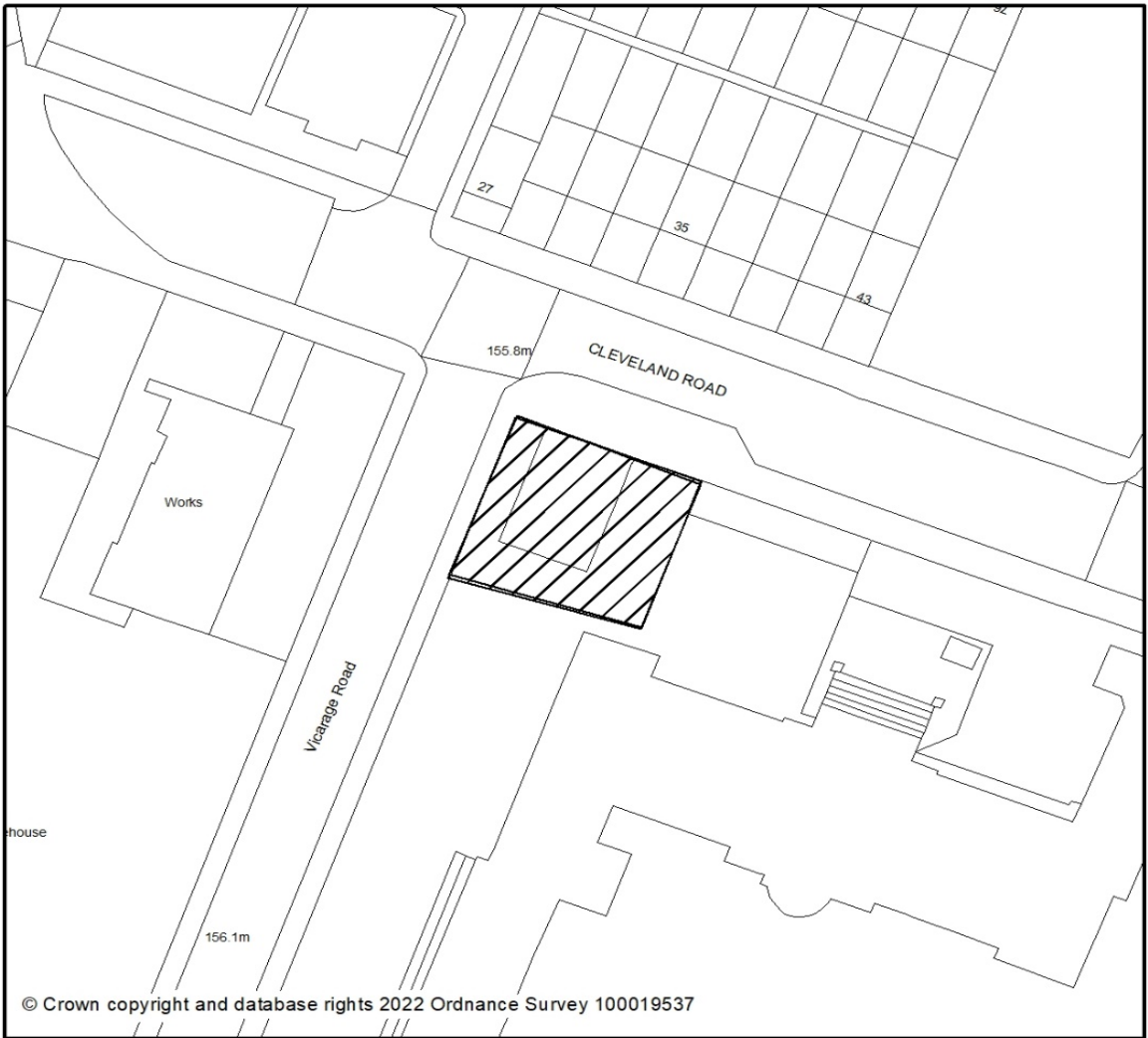
10.0 Conclusion

10.1 These proposals are welcomed since they would assist with the regeneration of this historic area, re-use a much-loved historic building and create an important community meeting place.

11.0 Detail recommendation

11.1 22/01493/FUL – Grant subject to conditions, including submission and approval of external materials, large scale architectural details and provision of bin storage.

11.2 22/01494/LBD – Grant subject to conditions, including submission and approval of external materials and large-scale architectural details.



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 17 January 2023
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Planning application no.	22/01049/OUT	
Site	Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton	
Proposal	Proposed Residential Development for One Dwelling (Outline Permission)	
Ward	Oxley;	
Applicant	Mr Poonia	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01922420947
	Email	Tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation

- 1.1 Delegated Authority to Grant, subject to the completion of a Unilateral Undertaking for the Cannock Chase SAC.

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 Planning History

4.1 This is a resubmission of the same application which was refused at planning committee on 16th November 2021 for the following reasons:

1. The proposed access to the proposed development is inadequate to support a development of this nature, having a detrimental impact to highway and pedestrian safety. The proposal would therefore be contrary to policies H6, AM12 and AM15.

2. Western Power have a network along the access drive, off Eccleshall Road. The proposed development will increase traffic over the underground cables to the detriment of the integrity and security of this network, and the ability to maintain supplies. Contrary to Policy H6, AM12, AM15.

This application has been resubmitted with some additional detail, to address the above concerns, and for the applicant to appeal the decision should it be refused.

Relevant policy documents

5.1 National Planning Policy (NPPF)

5.2 Black Country Core Strategy (BCCS)

5.3 Wolverhampton Unitary Development Plan (UDP)

6.0 Publicity

6.1 32 letters of objection:

- Highway/Pedestrian Safety due to the narrow nature of the access and surrounding highway, impacting on access and parking
- 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
- Out of character as all properties are facing the highway, mostly 2 storey / 3 bed
- Onset of further development to other plots

- Loss of secured gate and allowing unauthorised access to neighbouring properties
- Mental wellbeing of isolated dwelling
- Property breaks Wolverhampton Planning guidance specifications
- Security issues with open access to vital Mains substation and access to rear of residential gardens

7.0 Consultees

7.1 Transportation – No Objections subject to conditions.

7.2 Coal – No Objection

7.3 Western Power –

Previous Comments 21/00048/OUT –

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.

Awaiting Updated Comments, to be updated at Planning Committee

7.4 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.

8.0 Legal implications

8.1 There are no legal implications **MAK/SE/06/01/2023/1**.

9.0 Appraisal

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

Urban Design

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

- 9.3 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.
- 9.4 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

- 9.5 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.
- 9.6 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.
- 9.7 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 site during development.
- 9.8 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.
- 9.9 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

- 9.10 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.
- 9.11 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.
- 9.12 The development site is currently an untidy piece of land, and on the previous application some neighbours welcomed 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

- 9.13 Wildlife has been considered via the submission of an Ecological Appraisal dated 6th 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, including any updates to them.

Unilateral Undertaking

- 9.14 A new Cannock Chase Special Area of Conservation (SAC) planning contributions system came into effect on 1 April 2022. This requirement sits under Policy ENV1: Nature Conservation of the adopted Black Country Core Strategy, which states that: “Development within the Black Country will safeguard nature conservation inside and outside its boundaries by ensuring that development is not permitted where it would harm internationally (Special Areas of Conservation), nationally (Sites of Special Scientific Interest and National Nature Reserves) or regionally (Local Nature Reserve and Sites of Importance for Nature Conservation) designated nature conservation sites”

“The development of housing with its associated population growth may lead to indirect adverse impacts on Cannock Chase SAC. This is likely to be caused by

increased visitor activities on Cannock Chase and is the subject of ongoing research. Depending on the outcome of this research, development plans and proposals may be required to demonstrate appropriate and proportionate measures sufficient to avoid or mitigate significant identified adverse impacts. Guidance may be given through subsequent local development plan documents.”

As the site falls within the zone for mitigation measures, a financial contribution would be required, with a payment of £290.58 per home and is non-negotiable, even for reasons of viability. This is because mitigating harm to SACs is a legal requirement. The contribution will increase in line with inflation each 1 April.”

- 9.15 A query has been raised with respect to rights of access, this would be a private matter between the parties concerned and is not a material consideration for the planning application.

10.0 Conclusion

- 10.1 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 Unilateral Undertaking for the Cannock Chase SAC and inclusion of conditions, the proposal is acceptable and in accordance with the Development Plan.

11.0 Detail recommendation

- 11.1 Delegated Authority to Grant Planning Permission subject to the following:

- Completion of a Unilateral Undertaking for a financial contribution of £290.58 for the Cannock Chase SAC.

And

Any necessary conditions to include:

- 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.



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 17 January 2023
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Planning application no's.	22/01088/FUL and 22/01089/LBC	
Site	Heath Town Baths and Library, Tudor Road, Wolverhampton, WV10 0LT	
Proposal	<p>22/01088/FUL - Change of use from former Swimming Baths and Library to multi-use building including children's nursery, banqueting hall and community / function rooms. To be facilitated by new first floor extension, replacement roof, window refurbishment/replacement, installation of mechanical extraction equipment, external ramp, new boundary treatment, general refurbishment and accompanying external works.</p> <p>22/01089/LBC - Listed Building Consent for new first floor extension, replacement roof, window refurbishment / replacement, installation of mechanical extraction equipment, external ramp, new boundary treatment, interior reconfiguration and installation of lifts and accompanying external works.</p>	
Ward	Heath Town	
Applicant	Mr Raj Gaddu (Gaddu Associates Ltd)	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	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 application site is the existing Heath Town Baths & Library, which is a Grade II Listed Building, which closed permanently as a baths and library in 2006. It has suffered significant deterioration, vandalism and theft since its closure. It remains in Council ownership.

- 2.2 The building is sited on the one-way Tudor Road off Wolverhampton Road, which is fronted by residential dwellings.
- 2.3 The Holy Trinity Church and Cemetery, Lych Gate, and Alms Houses accessed via Church Gardens, are located north of the application site, and are all Grade II Listed, as is the War Memorial in Heath Town Park to the east of Church Street.
- 2.4 To the west are residential dwellings and Provence Close. A post and mesh fence runs along the west boundary of the site with a substantial piece of grassed area located between Heath Town Baths and Library and the west boundary fence.
- 2.5 Station Road is to the south of the site which leads from Powell Street to Tudor Road, with housing located to the south of Heath Town Baths and Library fronting both Station Road and Tudor Road. Across Station Road is a cutting and operational railway line.

3.0 Application details

- 3.1 Change of use to multi-use building including children's nursery, banqueting hall and community / function rooms.
- 3.2 This would be facilitated by new first floor extension, repair and replacement of the main roof, window refurbishment/replacement, installation of mechanical extraction equipment, a new external ramp, new boundary treatment, general refurbishment and accompanying external works. The Listed Building application also proposes the interior reconfiguration and installation of lifts.
- 3.3 The number of visitors estimated to attend the premises at various times are as follows:

Room/Space	Possible Max Number of People that can be accommodated
Main Function Room 1	500
Smaller Function Room 2	250
Meeting Room	100
Cinema & Lecture Theatre	100
Nursery room 1	45
Nursery room 2	45
Nursery room 3	30

- 3.4 Information submitted with the application confirms the following employment figures:
- Nursery – 34 members of staff
 - Banqueting hall – 35 members of staff
- 3.5 Parking provision is shown as follows:
- 90 car parking spaces, including 6 disabled parking bays and 6 Electric vehicle charging points.
 - 8 motor cycle parking bays

- 3 Coach parking bays

3.6 The application is accompanied by a Heritage Statement, Design and Access Statement, Noise Impact Assessment, Transport Statement, Arboricultural Impact Assessment, Community Consultation Report, Preliminary Bat Roost Assessment, Lighting Statement.

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)

Heathfield Park Neighbourhood Plan

5.0 Publicity

5.1 The application was advertised by direct neighbour notification, site notice and local newspaper advert. No representations have been received.

6.0 Consultees

Internal

6.1 Highways – No objection subject to conditions.

6.2 Environmental Protection – No objection, subject to conditions

6.3 Tree Officer – No objection subject to conditions

6.4 Conservation Officer – No objection subject to conditions

External

6.5 Severn Trent Water – No objections subject to conditions

6.6 Historic England – No formal comments to make

6.7 Twentieth Century Society - No formal comments to make

7.0 Legal implications

7.1 The legal implications arising from this report are set out below. (MAK/SE/06/01/2023/1)

8.0 Appraisal

8.1 The main issues for consideration are:

- Principle of development
- Design and Impact on Heritage Assets
- Highways and Parking

- Residential amenity
- Impact on protected trees
- Impact on protected species

Principle of development

- 8.2 This application site is a Grade II Listed Building which has been vacant for over 16 years.
- 8.3 The application site is specifically covered by the Heathfield Park - Neighbourhood Plan (2014-2026), Adopted Sept 2014, and is considered by the community to be important for their heritage and for their social well-being, cultural, recreational or sporting importance. Development proposals affecting the properties listed (including Heath Town Baths) will be supported through the Neighbourhood Plan where they:
- Enhance the community use of these assets,
 - Help secure their viability,
 - Encourage new community facilities to be based in local neighbourhoods,
 - Are accessible to all local residents
- 8.4 The proposal also draws support from the Neighbourhood Plan policies, as it seeks to address the issue of derelict properties and underused facilities which add to the negative image of Heathfield Park, improving the quality of the public realm, and the physical appearance of the Heath Town Baths as a focal point.
- 8.5 The Planning, Design and Access Statement confirms the scheme will provide much needed community space in the form of training rooms, conference areas, multi-use community space, nursery/creche and much needed business start up space. The variety of spaces provided will contribute to the community allowing local residents to flourish and collaborate. Evident through the submission of a Pre-Application Community Consultation Report, the applicant has demonstrated engagement with the local community (including Heathfield Park Action Network, local schools) to bring proposals forward which incorporate identified community needs.
- 8.6 The applicant remains committed to the proposal, and will look to take some early occupation of the building (likely to be the former library) once Agreement for Lease is signed to establish a presence on site which will help to deter problems of anti-social behaviour.
- 8.7 The proposal would result in the positive redevelopment of a prominent historic building in Heath Town which has been vacant for a number of years, utilising this previously developed site into a multi-purpose community venue, which will contribute significantly to the economic, social and environmental conditions of the area. It would therefore be acceptable in principle.

Design and Impact on Heritage Assets

(For both applications 22/01088/FUL and 22/01089/LBC)

Impact on the host Listed Building

- 8.8 The matters for consideration under the LBC relate only to the impact the proposed physical works on the character and integrity of the Listed Building. A full schedule of repair and reinstatement works are included in section 5.2 of the Planning, Design and Access Statement.
- 8.9 The statutory tests for the proposal, as set out in sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve the building, its setting or, any features of special architectural or historic interest. NPPF paragraph 197 requires that in determining planning applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.10 In accordance with paragraph 194 of the NPPF, an assessment of the significance of the building is set out in the submitted Heritage Statement, describing the heritage context of the site and by assessing its significance. The significance of the building is vested in its architectural and historic values as expressed through the preservation of its built fabric, architectural detailing and internal layout. The building also holds communal value from the role it played within the local community. The present condition of the building is regrettable, and its deterioration caused by continuing vacancy, limited maintenance, vandalism and theft of materials is detrimentally affecting its significance. It has also attracted a recent arson attack which has severely damaged the entrance foyer.
- 8.11 Though the nature of the proposed use is sensitive, as it will retain large, open spaces, that will enable the interpretation of the former use of the building, the proposed alterations will affect the character and the significance of the building, and the removal of some historic aspects (changing cubicles, removal of entrance foyer) will cause less than substantial harm to the significance of the building. However, in compliance with NPPF paragraphs 200 and 202, it is considered that the public benefits of the proposal; educational space, community spaces / opportunities and importantly the conservation of the Grade II listed building, bringing the building back into use, halting the decline and safeguarding the remaining architectural and historic significance will outweigh this less than substantial harm.

- 8.12 Further, supplementary detail of specific areas of the proposal should be provided, as suggested in para. 3.2.3 of the Heritage Statement, 'Wherever possible, within the constraints of bringing the AB [application building], up to modern building regulations and sustainable requirements, the applicants will retain both historic built fabric and internal decorative schemes. They will also replace damaged or destroyed features, such as windows, on a like for like basis in order to preserve the historic architectural and decorative themes which contribute to the building's significance.' This will include aspects such as fenestration, and the retention / conservation of glazed bricks and tiles and other areas of significance e.g. the library. With regard to the proposed boundary treatment, it would be prudent to ensure that the proposed boundary treatment is continuing the historic pattern and quality. This information regarding detail could be conditioned as a schedule of works.
- 8.13 Other positive interventions include high level window glazing to all rear hall roof clerestory and ridge lantern windows to be metal framed fixed double glazed lights, insulated metal clad sheeting applied to existing roof slopes of the rear function halls. Leaded lights to metal casements are to be fully overhauled in front main building only. All timber frame windows are to be replaced with double glazed timber windows to match existing pattern.
- 8.14 Level access is achieved by introducing a new access ramp and steps to provide a new secondary full access to the proposed Nursery, complementing the main entrance and reception access point.
- 8.15 The first floor extensions adjacent to the rear of the former Library are to be set in by 1m from the side elevations to make them subservient and constructed to match existing. These include new roof lanterns to mimic the original design at ground floor level. These extensions will help to secure the rear elevations to the former Library by infilling the area and replacing the low-level flat roofs which have facilitated unauthorised access.
- 8.16 It is considered that the proposal results in a sensitive use and alterations for this heritage asset and would not harmfully detract from the character of the building. On this basis, in accordance with sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, it is considered that the proposals would preserve the special architectural and historical interest of the Listed Building.

Impact on the character and appearance of the area and surrounding heritage assets

- 8.17 The surrounding area contains a mix of residential and other community uses. As such, the proposed mixed-use development will not be out of character with the surrounding area. The physical improvements to the building and boundary treatment, as well as bringing back the long-standing vacant building into an appropriate use will be an enhancement to the character and appearance of the area.

- 8.18 The proposed use of the building and the minimal external alterations would not overwhelm the historic integrity of the form of the existing building, and would not therefore adversely impact on the setting of the neighbouring Grade II Listed Buildings – which include Holy Trinity Church, Lych Gate, and Alms Houses.
- 8.19 As such the proposals would not be contrary to Section 66 of the Planning (Listed Building and Conservation Area) Act 1990, complying with saved UDP policies HE12, HE13, HE14, HE15 and HE17 and BCCS Policies CSP4 and ENV2.

Highways and Parking

- 8.20 For the predominantly weekday nursery activity, the site will make more than ample provision for off-street parking for vehicles. The ability to enter the site for drop off/pick up, will prevent harm to Tudor Road. Even if various community uses were to take place concurrently during the week, it is not anticipated that cars would exceed the available off-street parking provision.
- 8.21 As can be expected, it is use of the larger function rooms / banqueting facilities for occasions such weddings/parties that would generate the most parking demand. In consideration with the Highway Authority, the LPA conclude that a condition is required to limit the total number of guest/visitors on the site at any one time, to no more than 500. Doing so would ensure the proposed car parking layout would be sufficient to serve the future use.
- 8.22 Larger wedding events would have the capability to reduce parking demand within the site, as guests could arrive to the venue by pre-arranged taxis, mini-buses and coaches. Tudor Road will be protected from inappropriate parking and dropping off \ picking up by a Traffic Regulation Order. Furthermore, a Travel Plan condition is requested which would be orientated towards influencing travel behaviour of visitors to the venue and staff.
- 8.23 The Highway Authority had asked the applicant to consider a separate egress from the car park further along Tudor Road. For large scale events this would help to prevent conflicting vehicle movements between incoming and outgoing vehicles that could result in vehicles queuing back onto Tudor Road to such an extent that the free flow of traffic using Tudor Road could be significantly impacted on.
- 8.24 The applicant has investigated 2 options for the location of a new egress. However, both locations would have an impact on the existing dwellings opposite the development site on Tudor Road or potentially cause harm to highway safety, and have been discounted. Therefore, for large events held at the development site, the approved Car Park Management Plan (to be secured by condition) will need to be robustly managed to help minimise the impact on Tudor Road.
- 8.25 With relevant conditions attached, the traffic generated by the proposed uses is unlikely to give rise to increased on street parking or cause other risks to road users to the extent that it would be harmful to highway safety. The proposal would therefore accord with

saved UDP Policies AM12 and AM15, which seek to ensure that development meets the Council's parking standards and should be designed and implemented to contribute towards improving road safety and personal security. Further, it would be consistent with the NPPF, which at paragraph 111 states 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

- 8.26 NPPF paragraph 185 states that decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development. This advice is reflected in the Noise chapter of the “*Planning Practice Guidance*” (the PPG), which stresses the need for decision taking to take account of the existing acoustic environment and assess whether a significant adverse effect is likely to occur and whether a good standard of amenity can be achieved.
- 8.27 As stated above, there a number of uses that could take place on the site concurrently, nursery, banqueting facilities and multi-purpose community uses (a comprehensive list of possible uses are included in section 6.1 of the Planning, Design and Access Statement, such as training rooms, indoor children's play area, cinema/theatre). The nursery would be limited to weekdays only (08.00am - 6.00pm), with community activities operating all week up until 10:00pm. In noise terms, the banqueting facilities have the potential to create the most noise impacts, given the hours sought are from 8.00am to 12.00am, with cleaning up after functions up till 1.00am Monday to Thursday and Sunday, and 2.00am on Friday and Saturday.
- 8.28 The operation of the premises from an activity and noise aspect is critical in minimising noise pollution in the immediate area affecting existing residents within the vicinity of the site. A detailed Noise Impact Assessment accompanies this application which assesses the impact of the proposed uses against the opening times, noise from vehicle movements and patrons exiting the site (i.e. towards the end of the operational hours when existing background levels are lower), and proposed mechanical plant to serve the building. This identifies possible noise issues and how they can be mitigated. The noise assessment in accordance with BS4142:2014 overall shows a likely low impact at the nearest noise sensitive receptors when considering all aspects of the proposed development, however, this will need specific conditions.
- 8.29 Noise generated from both function rooms/halls can be a potential issue around the area and thus a rigorous noise assessment has been carried out to identify potential issues and mitigation measures. In respect of amplified and live music the report recommends a noise limiter to be fitted set to the assessment level within the function rooms, so that it does not exceed 90dBA, this will ensure the background level at the nearest residential receptors is not breached. Improved replacement glazing, re-cladded facades, improved fabric approaches all assist in reducing the noise impact of the development. Within the 2

no. function rooms all new windows will be non-openable which will limit the noise impact. The addition of acoustic lobbies will increase the sound insulation performance of the external walls and decrease the risk of noise escaping through open doors, as would maintaining closed doors.

- 8.30 To minimise patron noise which is difficult to model in noise assessment, i.e. when guests are exiting the building, potential rowdy behaviour and use of out-door areas, a Noise Management Plan (NMP) will be required by condition, in advance of opening the venue. This will need to include as a minimum, written details of the following information
- Organisational responsibility for noise control
 - Hours of operation and music production
 - Imposed planning/licensing conditions controlling noise/disturbance
 - Physical and managerial noise controls processes and procedures
 - Music noise level controls including music noise limiter settings and any external noise limits
 - Details of how compliance with control limits is achieved and procedure to address non-compliance
 - Details of review of NMP
 - Details of community liaison and complaints logging and investigation
- 8.31 As long as mitigation measures are secured by condition, having regard to the existing acoustic environment, the development would not have an unacceptable effect on the living conditions of local residents. Accordingly, there would be no conflict with development plan policies in relation to noise pollution.

Impact on protected trees

- 8.32 The proposed development will have limited arboricultural impact, and the works that are proposed are either in accordance with good arboricultural management (the removal of the decay line tree at the front of the building) or will have limited impact (the proposed facilitation pruning). Conditions are attached to secure the tree protection measures, Arboricultural Method Statement and details of proposed tree planting within the car park.

Impact on protected species

- 8.33 The Preliminary Bat Roost Assessment confirm a very low residual risk of bats being present. A condition will secure the recommendations made to adopt a more proportionate for Reasonable Avoidance Measures (RAMS) to be adopted.
- 8.34 The applicant has been made aware that if any work on trees outside of the application site (in Church ownership), will need to consider that Bats and their roosts are protected under the Wildlife and Countryside Act and Conservation Regulations.

8.35 There are no other protected species that would be harmed by this proposal.

9.0 Conclusion

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

10.0 Detail recommendation

10.1 Approve subject to the following conditions:

Conditions for 22/01088/FUL

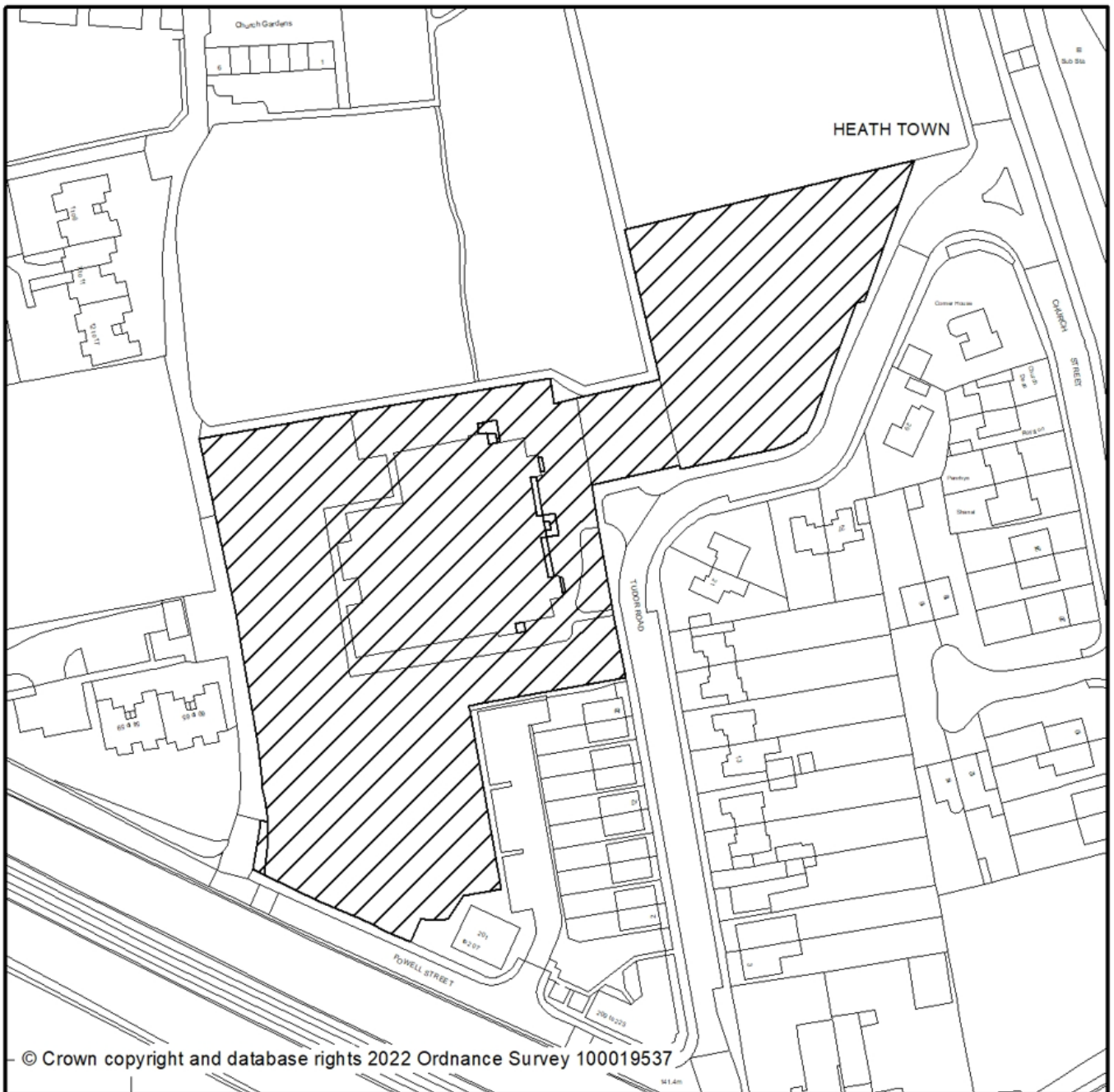
1. Define use class of building
2. Materials
3. Detailed roof / window design specification
4. Site levels
5. Parking layout implementation
6. Travel Plan
7. Charging Points
8. Refuse management plan
9. Car Park Management Plan
10. Barrier/gate to restrict car park access only outside operational hours
11. Construction Management Plan
12. Traffic Regulation Order review
13. Tree protection measures
14. Arboricultural Method Statement (AMS)
15. Define opening times (nursery, community uses and banqueting facilities)
16. Noise Management Plan
17. Specific noise protection measures (inc glazing spec, noise limiter, acoustic treatment).
18. External extract ventilation system
19. Drainage
20. Soft and hard landscaping
21. Boundary details
22. Accord with recommendations of ecology report

23. External lighting

24. Employment and Skills Plan

Conditions for 22/01089/LBC

1. Repair / schedule of works.
2. Detailed specification of new lantern roof and windows



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 17 January 2023
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Planning application no.	22/01199/FUL	
Site	4 Beach Avenue, Wolverhampton, WV14 9BS	
Proposal	Proposed conversion of 1No. 5-bed dwellinghouse into 1No. ground floor 1-bed apartment and 1No. first & second floor 2-bed apartment. With creation of three off-road parking spaces, sub-division of rear garden and new side staircase and first floor access.	
Ward	Spring Vale;	
Applicant	Ms Linda Leach	
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	Jobe Elwell	Planning Officer
	Tel	01902 551358
	Email	Jobe.Elwell@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant planning permission subject to conditions.

2.0 Application site

2.1 The application property is a semi-detached two-storey dwelling-house, the second dwelling in a uniform row of 6. The surrounding area is residential in character, comprising of similar semi-detached houses, and 6 semi-detached bungalows. The houses traditionally included grassed front gardens, some of which have now been hard-surfaced to provide driveways for off-street parking. There's currently no existing parking provision within the curtilage of the dwelling, instead residents & visitors park on the highway. There is a non-protected street tree in front of the property. There is an existing single storey side extension, adjoining a similar neighbouring structure which offers access to the rear garden. The application dwelling currently contains five bedrooms, with a lounge, kitchen, utility area, WC, shower room, bathroom and storage cupboards, with a private rear garden.

3.0 Application details

- 3.1 This application seeks to convert No.4 Beach Avenue into two self-contained apartments. The ground floor apartment (No.4A) will contain 1 bedroom, 1 kitchen, 1 lounge, with a separate shower room and WC. The apartment occupying the upper floors (No.4) will contain 2 bedrooms, 1 kitchen, 1 lounge and 1 bathroom. An acoustic mitigation and fire attenuation scheme has been demonstrated between the two apartments.
- 3.2 The access to the upper floor apartment will be via a new side access to the first floor, over the roof of the existing single storey side extension. This shall include a 2.2m high bricked enclosure over the existing extension, and an opaque acrylic partition along the metal staircase.
- 3.3 The existing front garden will be removed to make way for a hard surfaced parking area, making provision for three vehicles, serviced by an EV charging port. The rear garden will be sub-divided horizontally providing private amenity space to each apartment.

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 Thirteen neighbours were initially consulted on the application.
- 5.2 Representations were received in relation to the application from three local addresses, objecting to the proposal on the following grounds:
 - The creation of a new dwelling would increase noise levels in the area, adversely affecting neighbouring amenity.
 - The window to the second floor flat would overlook a neighbouring habitable window, adversely affecting their privacy. (*This has since been addressed through subsequent amendments*).
 - The parking provision will not be adequate, there is no space for visitors.
 - These properties were originally created as family dwellings, they should stay in that use, for that purpose.
 - Concerns over what tenancy the development will provide and who the occupants could be (*outside of planning control*).
 - The development would adversely affect the property prices of neighbouring dwellings (*not a material planning consideration*).

6.0 Consultees

6.1 Transportation – no objection

6.2 Private Housing – (no objection), raised the following points:

- The ground floor bedroom being accessed solely from the kitchen may be a fire hazard. Additional fire safety precautions and fire escape windows may be required to the ground floor front bedroom. *(This will be formally considered and addressed at the Building Regulations stage).*

7.0 Legal implications

7.1 There are no legal implications arising from this report. [MAK/SE/06/01/2023/1]

8.0 Appraisal

- 8.1 The principal of the subdivision of the existing 5-bedroom dwelling to create two apartments of 1 & 2 bedrooms is considered acceptable. The building would still retain its C3 dwellinghouse use, and the material operation of the property would be broadly similar to its existing use. It is acknowledged that some objections have raised issue over the intensification of the dwelling use, however a 1-bedroom and 2-bedroom flat is considered to not create any additional harm over that presented by a single 5-bedroom dwelling.
- 8.2 The accommodation for occupants of both flats is considered acceptable. Each have their own lounge, kitchen and bathrooms, with separate private gardens and bin and cycle storage areas. Therefore, the two dwellings can operate independently from one another. The acoustic mitigation scheme ensures that the two apartments will not result in a detrimental harm to the amenities of either dwelling. Thus, the amenities of any future residents would be secured and protected. These elements can be secured by condition.
- 8.3 Although some representations have objected to the proposal on the grounds that the parking provision will be inadequate, the Transportation team are satisfied that the application complies with the relevant policies, and that the proposed arrangements do not present a hazard to highway safety or traffic flow. Furthermore, parking pressures would actually be reduced by the proposal; currently the 5-bedroom dwelling has no private parking spaces, whereas the total 3 bedrooms proposed would be served by three off-road parking spaces. Additionally, the cycle storages should reduce reliance on car parking, and the electric vehicle charging port will encourage sustainable transport.
- 8.4 The addition of the brick wall partition above the single storey side extension is considered acceptable. The use of brick ensures the appearance will integrate appropriately with the existing dwelling, and the limited height and width, together with the set back from the principal elevation ensures that this will appear suitably subservient and unobtrusive. Subsequently, this will not present an unacceptable harm to the character of the street scene in this instance.

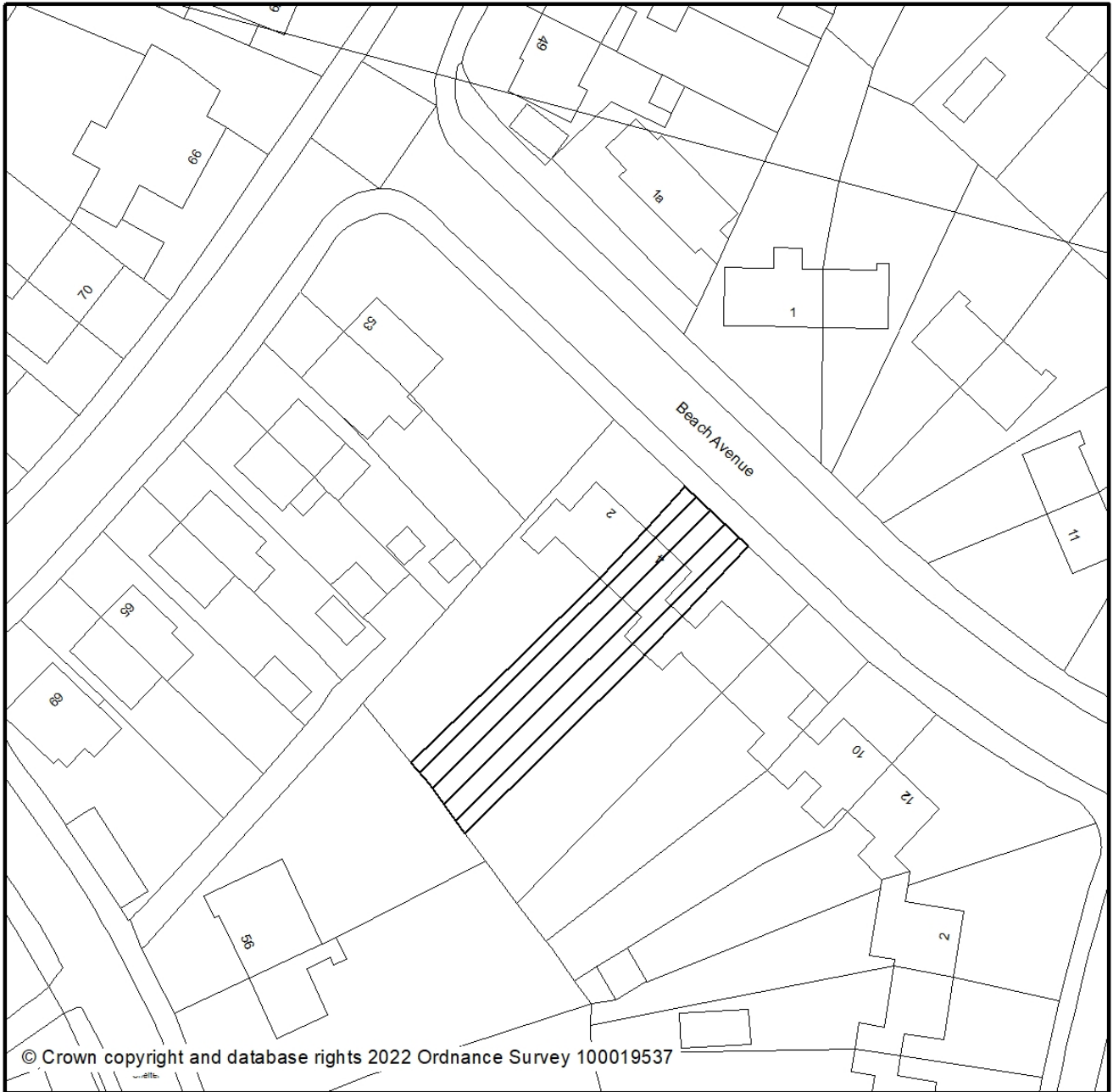
- 8.5 Concern over potential noise to a neighbouring bedroom was found to be valid. Subsequently, the brick partition was introduced, which is considered acceptable to reduce harmful overlooking and mitigate the noise of using this door to within acceptable levels. Overlooking into neighbouring gardens will also be prevented by the opaque acrylic partition on the staircase. Although some noise will remain when occupants enter and exit via this route, this only leads to the garden, so this is not expected to present a frequent issue.
- 8.6 Similarly, an existing second floor, side facing, clear glazed bedroom window was found to present overlooking into the neighbouring bedroom window. Subsequently, amended plans have been submitted which will replace this with obscure glazing as part of the proposal. This acceptably negates any harmful overlooking. Furthermore, this would improve the levels of privacy for the neighbouring dwelling, when compared to the existing arrangement. This can be secured via condition.

9.0 Conclusion

- 9.1 The amended scheme is compliant with all relevant planning policies and the proposal is considered to have overcome all of the material considerations raised by consultees and neighbours alike.

10.0 Detail recommendation

- 10.1 It is concluded that this application should be granted subject to the conditions as outlined below:
- 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 second floor side facing bedroom 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
 - Details of bins stores to be submitted to and agreed by LPA prior to first occupation



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