

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 5, Ground Floor - Civic Centre

Membership

Members of the Planning Committee

Quorum for this meeting is four Councillors.

Information for the Public

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

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 3 - 8)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 22/00528/OUT - Land West of 301 Bridgnorth Road, Wolverhampton (Pages 9 - 18)
[To consider the planning application] |
| 6 | 22/01049/OUT - Land Behind 2 to 30 Eccleshall Avenue, Wolverhampton (Pages 19 - 26)
[To consider the planning application] |
| 7 | 23/00298/CPL - 11A Keepers Lane, Wolverhampton, WV6 8UA (Pages 27 - 34)
[To consider the planning application] |
| 8 | 23/00032/FUL - 33 Upper Villiers Street, Wolverhampton, WV2 4NU (Pages 35 - 40)
[To consider the planning application] |
| 9 | 22/00888/FUL - 23 Coppice Road, Wolverhampton, WV3 8BJ (Pages 41 - 44)
[To consider the planning application] |

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Minutes - 21 March 2023
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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

Employees

Donna Cope	Democratic Services Officer
Stephen Alexander	Head of Planning
Martyn Gregory	Section Leader
Vijay Kaul	Section Leader
Alisha Paul	Planning Officer
Tim Philpot	Professional Lead - Transport Strategy
Ragbir Sahota	Planning Officer
Max Howarth	Solicitor

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 and Councillor Jonathan Yardley.

2 Declarations of interest

Councillor Daley declared a non-pecuniary interest in respect of agenda item 9. The non-pecuniary interest was considered, and due to its nature, it was agreed that

Councillor Daley could remain in the chamber and take part in the decision making for item 9.

3 Minutes of the previous meeting

Minute 9 – Councillor Page reported that Councillor Muston, Councillor Singh, and himself had abstained from voting on this item. He requested that their abstention be recorded in the minutes.

Resolved:

That the minutes of the previous meeting held on 17 January 2023 be confirmed as a correct record and signed by the Chair subject to the above amendment.

4 Matters Arising

There were no matters arising.

5 22/01337/OUT - Oxley Moor House & Oxley Training Centre, Probert Road, Wolverhampton, WV10 6UF

The Committee considered a report regarding 22/01337/OUT - Outline planning application for the construction of a 2 storey health and wellbeing facility and 3 storey residential building via the Self & Custom Build Scheme, with associated parking, landscaping and external refuse.

Vijay Kaul, Section Leader Planning, outlined the report.

Councillor Adam Collinge addressed the Committee and spoke in support of the application. He thanked local residents for managing the vacant site and welcomed the proposed development.

The Section Leader responded to comments made and stated highways issues had been addressed and that the importance of continued consultation with the local community would be relayed back to the applicant.

Members of the Committee welcomed the application and thanked planning officers for their hard work.

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

Resolved:

That the Director of Regeneration Place be given delegated authority to grant planning application 22/01337/OUT subject to:

- (i) Completion of Section 111 to obligate the developer to enter into a Section 106 agreement on taking possession of the land to secure:
 - Provision of 25% Affordable Housing

- Cannock Chase Special Area of Conservation (SAC) contribution of £290.58 per home
- Off-site open space contribution of £33,670
- Custom and Self Build restriction

(ii) Subject to any appropriate conditions including (but not limited to):

- Implementation date
- Submission of reserved matters (appearance)
- Use of building restricted to health and wellbeing facility (uses listed in application)
- Operational hours
- Materials
- Levels
- Boundary treatment
- Detailed landscaping proposals
- Long term Landscaping management plan
- Transport Assessment (implement highway improvements)
- Access and parking implementation (residential and health and social building)
- Traffic Regulation Order (along Probert Road).
- Travel Plan
- Drainage scheme implementation
- Control of surface water in place as part of any temporary works
- Construction Management Plan (including traffic control measures)
- Car Parking Management Plan
- Cycle / motorcycle parking provision
- Residential internal layouts to comply with Nationally Described Space Standards
- Arboricultural Method Statement
- External lighting plan / light spillage
- Recommendations in the Preliminary Ecological Appraisal (bats and badgers)
- Land contamination - Phase 2 intrusive investigation
- Noise Assessment recommendations
- Electric charging points
- 10% renewable energy
- Refuse management plan

6 22/01049/OUT - Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton

Planning application 22/01049/OUT had been withdrawn from Planning Committee so therefore was not considered

7 22/01096/FUL - 25 Oxley Moor Road, Wolverhampton, WV10 6TT

The Committee considered a report regarding 22/01096/FUL - Erection of two, three bed detached dormer bungalows on land rear of 25 Oxley Moor Road.

Ragbir Sahota, Planning Officer, outlined the report.

Ms Emma Brampton addressed the Committee and spoke in opposition to the application.

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

The Planning Officer responded to comments made and stated that the proposed development would have no adverse impact on pedestrian or highway safety.

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

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

Councillor Thompson and Councillor Randle abstained from voting.

Resolved:

That delegated authority be granted subject to the signing of a Unilateral Undertaking and conditions:

- Unilateral Undertaking
 - Cannock Chase Special Area of Conservation (SAC)
- Conditions
 - Details of boundary treatments
 - Landscaping scheme
 - Electrical vehicle charging point
 - Materials
 - Construction working hours
 - Remove permitted development rights for extensions and outbuilding
- Note for Information
 - Coal Mining

8 **23/00072/FUL - 1 Dovecote Close, Wolverhampton, WV6 8NA**

The Committee considered a report regarding 23/00072/FUL - Two storey side and rear extensions, single storey rear extension, front canopy and porch.

Alisha Paul, Planning Officer, outlined the report and noted that since the agenda had been published a further objection had been received.

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

Mr Hardip Chana addressed the Committee and spoke in support to the application.

The Planning Officer responded to comments made and stated that the Planning Inspector's appeal decision was a weighty material planning consideration in this case.

The report was debated by Committee, and Members were disheartened with the Planning Inspector's appeal decision. They were frustrated with the situation and felt they had no option but to grant the application. Concerns were raised regarding the Planning Inspector's processes, and members of the Committee requested that the appropriate Inspector be written to on the matter.

Stephen Alexander, Head of Planning, responded to questions asked and advised members to give considerable weight to the Planning Inspector's decision. He stated that should members choose to refuse the application, it was highly likely that an appeal would be lost and incur substantial costs for the council.

Councillor Page reluctantly moved the recommendations within the report and Councillor Muston reluctantly seconded the recommendations.

Councillor Thompson and Councillor Randle abstained from voting.

Resolved:

That planning application 23/00072/FUL be granted subject to the following conditions:

- The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
- Notwithstanding the details submitted with the planning application, the proposed first floor side elevation windows shall be obscurely glazed.

9 **23/00059/FUL - 8 Amos Avenue, Wolverhampton, WV11 1LF**

The Committee considered a report regarding 23/00059/FUL - Retrospective application for detached playroom and store outbuilding in rear garden.

Martyn Gregory, Section Leader Planning, outlined the report.

Mr David Hampton addressed the Committee and spoke in opposition to the application.

Mr Chahal addressed the Committee and spoke in support to the application.

The Section Leader responded to comments made and explained that the neighbour's concerns had been looked into and the proposals were acceptable.

The report was considered by Committee, and the Section Leader responded to questions asked.

Councillor Page moved the recommendations within the report and suggested that the applicant and neighbour communicated with each other to resolve their issues.

Councillor Wildman seconded the recommendations.

Resolved:

That planning application 23/00059/FUL be granted subject to conditions including:

- The development hereby permitted shall be used only for purposes incidental to the use of the dwelling house and not for any commercial, industrial or business purpose nor as a separate dwelling for the lifetime of the development.

The Chair closed the final meeting of the Municipal Year by thanking Members and officers for their support throughout the previous twelve months. The Committee reciprocated it's thanks to the Chair.

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 23 May 2023
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Planning application no.	22/00528/OUT	
Site	Land West of 301 Bridgnorth Road, Wolverhampton	
Proposal	Erection of 6no. self-build dwellings with access and amenity areas, creation of children's playground and open space.	
Ward	Tettenhall Wightwick	
Applicant	Mr Richard Sanders	
Cabinet member with lead responsibility	Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Alisha Paul	Senior Planning Officer
	Tel	01902 550348
	Email	Alisha.paul@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Refuse planning permission.

2.0 Application site

2.1 Located within the Green Belt, the 1.17 hectare application site is a field located to the south of Bridgnorth Road which is defined by a mature hedgerow. To the east is a detached dental practice, and to the north and west are large detached dwellings in extensive plots. Wightwick Manor and Gardens (Grade I and II listed) is also located directly opposite.

2.2 The site is located in the Tettenhall Neighbourhood Plan area, and it forms part of Smestow Brook Flood Plain and a wider SLINC area (Sites of Local Importance for Nature Conservation). The southern part of the site lies in Flood Zone 3.

3.0 Application details

3.1 This is an outline planning application with only access and layout for consideration, with all other matters reserved. The application proposes the development of six self-build dwellings with associated parking, access and landscaping, and the creation of a

children's playground and open space. Pedestrian and vehicle access is proposed from Bridgnorth Road.

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)
- Tettenhall Neighbourhood Plan (TNP)

5.0 Publicity

5.1 The application was advertised by direct neighbour notification, a local newspaper advert and a site notice.

5.2 37 objections were received for this application, the comments are summarised as follows:

- Proposed development would exacerbate existing flooding issues
- Harmful impact to landscape, ecology, wildlife, habitats, and protected species
- Harmful impact to the SLINC (Sites of Local Importance for Nature Conservation)
- Increase in road traffic, congestion and associated noise
- Harmful impact to highway safety
- Harmful impact to the open character of the area
- Inappropriate development in the Green Belt
- Harmful impact to the character of Wightwick Bank Conservation Area (adjacent to site)
- Harmful impact to character and setting of Wightwick Manor & Gardens (listed buildings and curtilage)
- Contrary to the policies of the development plan and the NPPF
- Design and setting of proposed dwellings are out of character with the local area
- Harmful impact to outlook and views of Green Belt land
- Harmful impact to the street scene
- Fear of crime

6.0 Consultees

Internal

6.1 Highways – No objections, subject to conditions.

6.2 Archaeology and Historic Environment – No objections, subject to conditions:

A programme of archaeological work shall be undertaken, to ensure that any archaeological remains affected by the development are identified and recorded prior to the commencement of development. This would likely comprise desk-based assessment and trial trench evaluation in the first instance, then additional mitigation if required, dependent on results.

6.3 Landscape and ecology – Comments received, summarised below:

The planning application should be accompanied by a Preliminary Ecological Appraisal or similar report prepared by a qualified ecologist and any other follow up ecological survey work recommended as a result of the initial survey and report before consideration is given to the application by the local planning authority. This is to ensure that the conservation status of protected species is not adversely affected by the proposed development.

External

6.4 Historic England – comments received:

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

6.5 Canal and River Trust – comments received:

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

6.6 The Wildlife Trust – Objection and comments received, summarised below:

The proposed development site is a Site of Local Importance for Nature Conservation (identified as Land off Bridgnorth Road SLINC – WV003), which forms part of the wider Smestow Valley SINC/ SLINC complex.

The development represents a proposal which will negatively impact upon Land off Bridgnorth Road SLINC and, by extension, the wider Smestow Valley SINC/ SLINC complex.

Therefore, we would like to formally object to the proposed development, on the grounds that its approval would be contrary to Policy ENV1 of the Black Country Core Strategy.

6.7 National Trust – Comments received, summarised below:

The application site is close to Wightwick Manor and its gardens. The entrance to Wightwick Manor is located immediately to the north east of the site. Views of the application site from the property itself are limited. However, views are possible from parts of the Grade II registered gardens, especially in winter when the tree cover is at its thinnest. The Wightwick Bank Conservation Area Appraisal has identified that these

views to the south of the registered park and garden are 'affected by seasonal changes to tree cover' (p25).

The application site is also alongside the Wightwick Bank Conservation Area, of which Wightwick Manor is part. Other heritage assets in the area include Grade II listed Netherton House (not National Trust) which neighbours Wightwick Manor. Views from the conservation area cross the site to the open land of the Smestow Valley beyond. These views and those along Bridgnorth Road are green and have a very rural atmosphere considering the proximity to Wolverhampton. The proposed development would diminish this rural character through the loss of the large open gap. The erection of six dwellings along this part of the Bridgnorth Road would result in an urbanisation of this area.

We consider that this urbanising effect would harm the character and appearance of the Wightwick Bank Conservation Area and the setting of the registered historic garden of Wightwick Manor. Both are designated heritage assets, as is Netherton House. The National Planning Policy Framework recognises that heritage assets are an irreplaceable resource. It requires great weight to be given to the conservation of designated heritage assets. Any harm to them requires clear and convincing justification.

6.8 Lead Local Flood Authority – No objections, subject to conditions:

We have reviewed Flood Risk Assessment SAW-BML-XX-XX-RP-C-0500, dated 22 June 2022. All planned development has been limited to Flood Zone 1. However, all finished floor levels should be set at 600mm above the 20% climate change event. This is in order to provide resilience for the lifetime of the development.

Smestow Brook Node point SM4 8900 details a level of 94.783mAOD @ the 100 year CC level. Subsequently, finished floor levels should be set to a minimum of 95.383mAOD.

7.0 Legal implications

7.1 There are no legal implications arising from this report. (SE/12052023/E)

8.0 Appraisal

8.1 The main issues for consideration are:

- Principle of development in the Green Belt
- Impact on ecology
- Impact on the character and setting of Wightwick Manor and Gardens
- Impact to highway safety
- Residential Amenity
- Flooding

Principle of development in the Green Belt

Whether inappropriate development

- 8.2 Paragraph 147 of the National Planning Policy Framework, states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” Paragraph 149 of the National Planning Policy Framework states that “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt” unless they meet the exceptions. In this case, the proposed development does not meet the exceptions and is therefore, by definition, inappropriate development in the Green Belt.
- 8.3 Paragraph 148 of the National Planning Policy Framework states that “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

Effect on openness

- 8.4 The Government attaches great importance to Green Belts. Paragraph 137 of the National Planning Policy Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 8.5 The application site is approximately 1.17 hectares of verdant undeveloped land and features a mature hedge boundary along Bridgnorth Road which visually creates a more rural character. The creation of new dwellings on this site would harm the openness and rural character of the area, and harm the uninterrupted views of the Green Belt. The proposal is therefore contrary to the fundamental aim of Green Belt policy which seeks to permanently maintain the openness of Green Belt land. The proposal is contrary to BCCS Policies CSP2 and ENV1, UDP Policies G2 and D6, and Tettenhall Neighbourhood Plan Policies TNP13 and TNP14 Part A.

Very special circumstances

- 8.6 Whilst the Supporting Statement does not specifically mention ‘very special circumstances’ there are a number of suggested benefits of the proposed development stated including:
- Improving the biodiversity of the site through planting
 - Respect the historic pattern of development
 - Improve the visual appearance of this small section of the approach into Wolverhampton
 - Contribute to the current housing provision shortfall
 - Provide much needed self-build plots
 - Site is in a sustainable and easily accessible location
 - It will provide an attractive public open space and a much-needed children’s play area

- 8.7 The benefits of the proposed development suggested in the Supporting Statement above would not justify the harm caused to the Green Belt and would not constitute 'very special circumstances'. The proposal is therefore inappropriate development in the Green Belt and contrary to NPPF policies, UDP Policy G2, and BCCS Policy ENV1.

Impact on the character and setting of Wightwick Manor and Gardens

- 8.8 Comments were received from the National Trust with regards to the impact of the proposed development on Wightwick Manor and Gardens. Wightwick Manor is a Grade I listed building within a Grade II listed garden in the Wightwick Bank Conservation Area.
- 8.9 Concerns were raised about potential views of the application site from parts of the gardens, particularly in winter where there is reduced foliage from tree cover. The views of the application site and Green Belt have a strong green and rural character which would be eroded by the proposed development and result in the loss of the large open gap.
- 8.10 Tettenhall Neighbourhood Plan Policy TNP12 Part B states that important views can be seen from prominent locations such as Wightwick Manor and "due to the suburban feel of the area a number of trees individually and collectively enhance the setting of historic buildings and help frame views. It is important that the qualities of such views within the area are not eroded." The proposal would therefore fail to preserve or enhance the character and appearance of the Wightwick Bank Conservation Area and setting of listed buildings.
- 8.11 The proposed layout shows the hedgerow which dominates the northern boundary of the site along Bridgnorth Road being removed and replanted set back from the boundary adjacent to Bridgnorth Road. This would further erode the rural character of the area and character and setting of Wightwick Bank Conservation Area.
- 8.12 As the development neither preserves or enhances the character and appearance of the conservation area and the setting of listed buildings, the development would be contrary to saved UDP Policies D6, HE5, AND BCCS Policy ENV2.

Impact on ecology

- 8.13 Limited information has been provided in regard to ecology in the Supporting Statement (received on 16 Jan 2023), which identifies that there is evidence of protected species occupied near the site which will require consideration within the development proposal and the hedgerow is classed as a BAP Priority Habitat. The proposal would result in the loss of part of the hedgerow along this boundary which would not only erode the rural character of the area, but also remove part of a BAP Priority Habitat. The Supporting Statement identifies that an ecological survey is required in order to identify areas to be retained due to their ecological importance and mitigation for habitats that will be lost.

- 8.14 The planning application is not accompanied by a Preliminary Ecological Appraisal or similar report or any other follow up ecological survey work recommended as a result of the initial survey. Furthermore, the application site is part of a wider Site of Local Importance for Nature Conservation (SLINC) and as such the developers are required to submit an ecological impact assessment to accompany the proposal. Development which may have a harmful effect on the nature conservation value or integrity as a wildlife corridor of SLINCs would only be permitted in exceptional circumstances where the benefits generated by the development would clearly outweigh nature conservation considerations. Exceptional circumstances have not been demonstrated in this case.
- 8.15 As insufficient information has been provided, the application has failed to demonstrate that the proposed development will not adversely affect the important ecology and conservation status of protected species and habitats. The proposal is therefore contrary to saved UDP Policy D12, BCCS Policy ENV1 and Tettenhall Neighbourhood Plan Policy TNP13.

Impact to highway safety

- 8.16 Neighbour objections included concerns about impacts to highway safety and an increase in traffic as a result of the development. Given that satisfactory off-street parking provision could be provided for future occupiers of the dwellings, no objections were received from the Local Highway Authority, subject to conditions. However, details such as appropriate vehicle visibility splays have not been submitted. As stated in paragraph 8.11 the layout plan shows that extensive hedgerow removal would need to take place in order to provide satisfactory visibility splay. Whilst this may provide a safe access it would result in significant harm to the character and cannot therefore be supported in any case.
- 8.17 Comments from the Local Highway Authority include:
- “It is assumed that the proposed visitor parking spaces are for people who live outside of the proposed development and are visiting the adjacent New Playground. However, it has to be acknowledged that this visitor parking could be used by the residents of the proposed development.”
- 8.18 The visitor parking area is not defined and neither is it strictly prohibited by use of occupiers of the new dwellings. The Supporting Statement (received on 16 Jan 2023) suggests that this play area will support the local community in Tettenhall, therefore could generate parking demand. Overprescribed parking within the six bays in the visitor parking area is likely to result in overspill parking within the access road which could cause an unacceptable highway impact.
- 8.19 The planning application lacks sufficient detail regarding parking for the playground and public open space, appropriate access and vehicle visibility splays and could therefore

have a harmful impact on highway safety and is contrary to saved UDP Policies AM12 and AM15, and BCCS Policy TRAN2.

Residential Amenity

- 8.20 In principle the proposed location and layout of the dwellings are sufficient distances away from neighbouring dwellings so as to not cause any adverse impacts to their amenities. Any future reserved matter application would detail the scale of the proposed dwellings, position of windows and internal layouts and this would need to be duly considered at that stage.

Flooding

- 8.21 The Environment Agency has reviewed the flood risk assessment and has confirmed that the residential development is largely limited to Flood Zone 1 (i.e. the lowest risk of flooding). Advice is given on the finished floor levels to provide flood resilience for the lifetime of the development.
- 8.22 The southern boundary of the site is in Flood Zone 3 (i.e. most at risk of flooding) and the land is prone to regular flooding. The introduction of a significant footprint of permanent development in this site could increase the risk of flooding. A proposed drainage strategy should be submitted as recommended in the flood risk assessment. Therefore, it cannot be ascertained as to whether the proposal will exacerbate existing flooding issues on site and whether appropriate mitigation measures would alleviate these issues, contrary to BCCS Policy ENV5.

9.0 Conclusion

- 9.1 The development would result in inappropriate development within the Green Belt and would introduce a significant footprint of permanent development at this site, eroding its open character. No very special circumstances have been demonstrated to outweigh this harm. The development would not preserve or enhance the character and appearance of the conservation area or the setting of listed buildings. Furthermore, insufficient information has been submitted regarding ecology, highways and drainage. Therefore, the proposal would be contrary to the development plan as a whole.

10.0 Detail recommendation

- 10.1 Refuse planning permission for the following reasons:
- The proposed development constitutes inappropriate development in the Green Belt.
 - The development would adversely impact the openness and rural character of the area.
 - The proposed development would adversely impact views from Wightwick Manor and Gardens and would therefore adversely impact the character and setting of the listed

buildings and would harm the character and appearance of the Wightwick Bank Conservation Area.

- A Preliminary Ecological Appraisal has not been provided. The application has therefore failed to demonstrate that the proposed development will not adversely affect the important ecology and nature conservation of protected species and habitats.
- The planning application lacks sufficient detail regarding parking for the playground and public open space, appropriate access and vehicle visibility splays and could therefore have a harmful impact on highway safety.
- Without the provision of a proposed drainage strategy as recommended in the flood risk assessment it cannot be ascertained as to whether the proposal will exacerbate existing flooding issues on site and whether appropriate mitigation measures would alleviate these issues.



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 23 May 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	Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Author name	Tracey Homfray
	Tel	01902 555641
	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 and conditions.

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 National Grid 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 16 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.

4.2 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.

5.0 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 National Grid (Previously known as Western Power) – No Objection Subject to Condition:

As discussed, our focus is on protecting the integrity and security of our distribution network. However, we do now appreciate that it may be more appropriate to undertake the impact review we are suggesting is necessary once there is more certainty associated with the proposed development.

This is the condition that we would propose:

No development shall commence until investigative works to determine the potential impacts of the development on National Grid (Electricity Distribution (Midlands) Plc's electricity apparatus have been carried out and a report detailing such investigative works and any resulting recommendations has been submitted to and approved in writing by the Local Planning Authority. In the event that the report identifies the need for mitigation works or measures to protect the apparatus, no development shall commence until a methodology for carrying out such works or measures, including a timetable for completion thereof, has been submitted to and approved in writing by the Local Planning Authority. The mitigation works or measures shall then be implemented and completed strictly in accordance with the approved methodology, including the timetable for completion set out therein.

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 To be completed by Legal There are no legal implications arising from this report.
(SE/11052023/B)

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. The garages adjacent to the application site, are now within the ownership and in control by the applicant.
- 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 addressed 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 volume of traffic associated with a dwelling of this size, would not be significantly different to the level of traffic which currently exists, on the access to this site. National Grid do have concerns, however, after considering the application detail and dialogue with the applicant, they are now in a position to support the proposal, subject to the inclusion of a condition which would need to be addressed prior to any development taking place. The condition would require any necessary investigations/mitigation measures, in order to protect their apparatus etc.
- 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 National Grid, 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.
- 9.13 Concerns have been raised with respect to covenants on the land and rights of access. These are private issues to be addressed between the parties concerned, and are not material considerations with respect to planning applications.

Wildlife

- 9.14 Wildlife has been considered via the submission of an Ecological Appraisal dated 6 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

- 9.15 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.”

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.
- Nation Grid Investigation/Mitigation



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 23 May 2023
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Planning application no.	23/00298/CPL	
Site	11A Keepers Lane, Wolverhampton, WV6 8UA	
Proposal	Change the use of the home from C3(b) to C2, a residential dwelling into a small Children's Home, catering for no more than two young people with social, emotional, and behavioural needs	
Ward	Tettenhall Regis	
Applicant	Children Services, City of Wolverhampton Council	
Cabinet member with lead responsibility	Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01902 555641
	Email	Tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant.

2.0 Application site

2.1 The proposed site is a residential dwelling, located in a street scene of varying residential properties, in an area which is predominantly residential. The property is a three bedroomed detached property, with extensive private gardens to the rear, and a deep paved parking area to the front of the property. The property has vehicular access off Keepers Lane, and pedestrian access on the opposite side of the road.

3.0 Application details

3.1 The Certificate for Proposed Use seeks to demonstrate that there is no material change between the existing usage as a residential dwelling (C3b) to a residential dwelling for the care of two children (C2) by Children Services (City of Wolverhampton Council).

- 3.2 There are no external changes proposed to the property. Internally, the ground floor sitting room would be used as an office, and upstairs the rooms will remain as bedrooms, one for each child and one for the staff.
- 3.3 The home will provide care for no more than two young people from Wolverhampton, aged 11 to 18 who will have social, emotional, and behavioural needs.
- 3.4 There would be two members of staff working, one for each child. The shift will commence at 9:30am with staff staying overnight with the children in the home until 9:30am the following morning. A shift would cover 24 hours, with only one shift change at 9.30am every morning, taking approximately 20 – 30 minutes. The care would involve school runs, trips out, taking care of the daily chores of the property and garden etc.
- 3.5 The Registered Manager would visit the home to ensure that there is good oversight of the operating of the home and in accordance with Office for Standards in Education Children's Services and Skills (Ofsted) Regulations, Quality Standard 13.
- 3.6 Visitors to the property during the week include Social Workers, which are pre-arranged appointments running every six weeks, and will not take place together. Family members would also have planned visitation; however, this would be arranged off site, away from the care home.

4.0 Planning History

- 4.1 10/00652/FUL – Two storey side extension and conversion of conservatory and garage – Granted 10/09/2010.

5.0 Relevant policy documents

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

6.0 Publicity

- 6.1 Seventeen letters of objection have been received, including from Councillor Khan, Councillor Udey Singh and former Councillor Yardley. Objections, and a petition with twenty-one signatures, are summarised as follows:
 - Not permitted development as it is not consistent with a residential dwelling where all occupants are related.
 - Area is not suitable for the care of children, which places a risk on the children's health and development. No relevant amenities, lack of access to amenities, which poses a risk to the child's behaviour and emotional turmoil, as they would be secluded.
 - Not accessible for children with disabilities.
 - Garden too large to maintain for the proposed usage.

- Commercial Use not compatible with the character of the surrounding area which is predominantly residential.
- Highway and Pedestrian Safety, access is dangerous, as the road is very busy, and no footpath to one side of the road. Usage would add to the congestion due to staff members and visitors, and there is insufficient parking to the front of the property to support the usage, resulting in cars parking on the surrounding highway.
- Sets a precedent for other commercial uses being introduced into the area, to the detriment of owner/occupation, resulting in a less desirable area. Affecting mortgages and a gradual move towards other commercial activities.
- Out of Character with an increased activity due to the number of staff, family visitors, and professional visitors.
- External Signage not consistent with residential.
- Would lead to a further expansion, restrictions would be required to prevent this.
- Potential for anti-social behaviour from both occupants and families, and the increase in fear/crime. Fear of safety of those neighbouring properties, who would be exposed to this, which is a vulnerable area.
- Noise and disturbance associated with the usages due to increased activity associated with the use.
- Reduces the values of surrounding properties.
- Residents not informed.
- Waste of taxpayers money due to the price of the property. Similar properties in other areas cheaper.
- Insufficient detail on future occupants, who could have drug abuse, or mental illnesses.
- Police should have been advised.
- More suitable locations near to services and amenities to support the usage.

7.0 Consultees

7.1 None required.

8.0 Legal implications

8.1 There are no legal implications arising from this report. (SE/11052023/C)

9.0 Appraisal

- 9.1 The application seeks to demonstrate that the proposed care operation (C2) would be more akin to a family home and not an institution, therefore not being materially different to the current (C3) residential usage.
- 9.2 An assessment of a certificate of proposed use, is linked to the significance of a change and the resulting impact on the use of land and buildings. Case Law holds that a C2 use (residential institution) would not necessarily be materially different from C3 (residential). The question is whether there is some significant difference in the character of activities undertaken from what has gone on previously as a matter of fact and degree, and this is determined on the merits of a case.
- 9.3 The onus is firmly on the applicant to demonstrate on the balance of probabilities that the proposed development would be lawful. For the avoidance of doubt, the planning merits of the matters applied for do not fall to be considered. For example, Planning Policy is not under consideration, for an example whether the usage would be out of character (BCCS ENV3 or UDP Policy D4) but whether the use is a lawfully different.
- 9.4 The existing use is a house which has been used as a family home for a number of years; with the current owners having raised their own two children in the home before they became adults. Currently, the house is occupied by a couple who reside at the property together.
- 9.5 According to the building plans, the detached property has three bedrooms (one with ensuite) and a bathroom on the first floor. On the ground floor, lounge, sitting room, a kitchen/diner, dining room, garden room, and storeroom. Internally/Externally the house would remain physically unchanged to accommodate two children with care, with just the usage of the sitting room being changed to an office. Parking would remain to the frontage as existing, and the extensive garden areas to the rear would also remain as private amenity area.
- 9.6 The children to reside at the property are described as being usually unable to live with their natural parents or other guardians due to social, emotional, and behavioural needs. It is proposed that the care provider acts as corporate parents for the residents, and in the way that conventional parents would, the staff who support and look after the residents of the home, provide them with guidance and devoted attention, nurturing them and helping them develop their skills in developing successful relationships and social interactions.
- 9.7 The care to be provided would be for two children only, who would receive 24hr care, with only one change over of staff in the morning, at an appropriate social time outside the morning rush. The carer would reside and sleep at the property for the 24hr period, resulting in more contact with the child in care. The unique staffing requirements of the home would not impact on the wider area or have a material effect on the character of the use.

- 9.8 The applicant also states that the care home operates in a similar manner to a domestic home with the children interacting with the care staff through a variety of activities. The children each have their own bedroom and are encouraged, wherever possible, to live independently and to undertake daily household tasks. They wash and dress themselves and have a role in the day-to-day life within the household, including cooking and other chores. Carers and children eat together and, outside of their bedrooms, they share the other facilities within the property, including the lounge and other sitting rooms, bathroom facilities, and the rear garden. The children would attend school or college, and be introduced to activities with transport provided by a member of the care staff allocated to them.
- 9.9 The use would include external agencies visiting the property (i.e. social workers, health professionals), but this would also be kept to a minimum, with appointments taking place every six weeks, and not on the same day for each child, keeping the numbers of visits low. Family visitors would also be arranged off site at a convenient location and would not take place at the care home. Therefore, there will be no more comings and goings than a normal family in a house of the same size.
- 9.10 Therefore, the activity associated with the use, would not be that dissimilar to a normal family residence. The noise and traffic associated with these movements, would not be excessive, or to the extent to cause disturbance to neighbouring amenities, or to impede on the free flow of traffic or pedestrian safety.
- 9.11 While, it is acknowledged, that there may be emotional or behavioural problems on the part of a resident child, which may call for additional planned, ad-hoc or emergency visits, due to the low number of children to be cared for at the property, this again would not be considered substantial enough to cause a significant change in usage.
- 9.12 Neighbour objections received are mainly based around the inclusion of a care facility in an area which is considered unsuitable for children, as it is isolated, with poor vehicular and pedestrian access. There is also a fear of, or the potential for, anti-social behaviour from both the occupants or their families, and concern to the impact on neighbouring amenities due to the increased activity associated with the usage, and the lack of parking provisions, which could impact on the surrounding highway network. As noted above, the planning merits of the proposal are not for consideration as part of the lawful development certificate procedure.
- 9.13 In this case, significantly, the low frequency of shift changes and other visits, the manner of day-to-day operation, does not in the Local Planning Authority's (LPAs) consideration alter the character balance of the use and the way its occupants interact with one and another, and therefore it has been demonstrated it would be more akin to a single household.

10.0 Conclusion

10.1 On the balance of probabilities, the evidence submitted with this application demonstrates that the proposed use of the property with care for two children or young persons would not result in a material change in the use of the property. It would not be development and no planning permission is therefore required for this use. The decision is based on the information provided, and should this change at anytime in the future, then permission for a change of use may need to be sought.

11.0 Detail recommendation

11.1 Grant



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 23 May 2023
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Planning application no.	23/00032/FUL	
Site	33 Upper Villiers Street, Wolverhampton, WV2 4NU	
Proposal	Conversion of a six room house in multiple occupation into a seven person seven room house in multiple occupation	
Ward	Blakenhall	
Applicant	Mr Carl Reynolds	
Cabinet member with lead responsibility	Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01902 555641
	Email	tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to conditions and note for information.

2.0 Application site

2.1 The proposed site, is a terraced property, converted into a six bedroom house in multiple occupation, and licenced for nine years. The property is located in a predominant residential area, close to local amenities. The property has a private rear garden area, and cycle parking to the rear of the property. There is no private vehicle parking, and no parking directly outside the property, due to Traffic Regulation Orders.

3.0 Application details

3.1 The initial proposal sought permission for a further two bedrooms resulting in an eight bedroom house in multiple occupation (HIMO). However, due to concerns with layout, and services, the proposal was amended to address these issues, which has now resulted in a proposal for a seven-bedroom house of multiple occupation.

3.2 The seventh bedroom is to replace the bathroom area at first floor, each room will have their own bathroom facilities. The downstairs bathroom would also be removed, and the

kitchen reconfigured, to provide a separate entrance, to the rear of the property leading to the garden area, bin storage and cycle storage.

4.0 Planning History

4.1 There is no planning history for this property, the conversion to a six-bedroom HIMO took place prior to the Article 4 Direction. A licence for the use was issued in 2014, therefore, based on the license it has had a HIMO usage for nine years. It is not clear if the usage was in operation prior to that.

5.0 Relevant policy documents

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

6.0 Publicity

6.1 Publicity expires on 8 May 2023, no objections received.

7.0 Consultees

Highway and Transportation – No Objections.

7.2 Police – I have checked the property against internal police systems, and I am also satisfied for the development to be increased from a six bed HIMO to a seven bed HIMO only.

7.3 Private Sector Housing – All rooms appear to be suitable for occupation by one individual, but this is assuming that no account has been taken of any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 meters.

Please ensure that any means of escape within a flat is safe and the required fire alarms/detection are present, please refer to LACORs/Homestamp guidance for fire precaution standards in relation to fire doors, fire blankets and fire risk management, also assuming Building Regulations will comment on this.

Please refer to the space and amenity guidance standard for houses in multiple occupation and self-contained flats.

<https://www.wolverhampton.gov.uk/sites/default/files/pdf/HMO-amenities-2018.pdf>

If the property has five or more occupants forming two or more households, is there only one or main place of residence and share amenities then a mandatory HMO licence will be required. For more information please see the link

<https://www.wolverhampton.gov.uk/housing/house-multiple-occupation-licence>

8.0 Legal implications

8.1 There are no legal implications arising from this report. (SE/11052023/D)

9.0 Appraisal

- 9.1 The application site is an existing a house of multiple occupation (six occupants). This use is known to be in operation for the last nine years. The initial planning applicant sought to increase the number of occupants to eight, which resulted in a number of implications, due to there being no separate entrance to the rear of the property, resulting in all services (bins cycles etc) being routed through the kitchen area of the property, or being left to the front of the property, to the detriment of those residing there, and the character/appearance of the street scene.
- 9.2 Therefore, the proposal has been reconfigured in order to address those concerns, resulting in a seven-bedroom proposal. The existing two shared bathroom areas are to be removed and provide ensuite bathroom areas to each bedroom. The kitchen would also be reconfigured to incorporate a separate entrance to the rear of the property.
- 9.3 The separate entrance would provide an access route from the front of the property to the rear of the property, which would improve the current situation, where at present bins etc are stored to the front of the property, directly opposite the ground floor bedroom window. The bins appear cluttered and unsightly to the detriment of the character and appearance of the street scene, and cause disturbance to the occupier of the ground floor bedroom area, impacting on their outlook, plus being exposed to smells (especially during the summer months) and noises associated with the usage of the bins. With the inclusion of the separate access, bins can be stored to the rear of the property, in a bin store, along with appropriate cycle storage.
- 9.4 It is acknowledged that parking is difficult within this location, being a typical terraced street, which is highly subscribed with on street parking. However, this is a highly accessible area, with local transport close by, along with local shops and services. Therefore, the addition of a one person bedroom should have no significant impact on highway or pedestrian safety.
- 9.5 The additional room which is to take the place of the existing shared bathroom area, would have no significant impact on neighbouring amenities.
- 9.6 The property has ample garden and cycle storage to support the addition of one person.

10.0 Conclusion

- 10.1 The conversion to include an addition of a one-person bedroom, totalling in seven one-person bedrooms, would have no significant impact on the character or appearance of the surrounding area, to neighbouring amenities, or highway/pedestrian safety. The proposed, would update and improve the current internal and external layout, improving the appearance at the front of the property, and improving the living standards for current and future occupiers. Subject to conditions the proposal is consistent with Planning Policy.

11.0 Detail recommendation

11.1 Grant subject to conditions and note for information:

- Bin Storage (which shall remain to the rear apart from bin collection days).
- Cycle Storage

Note For Information:

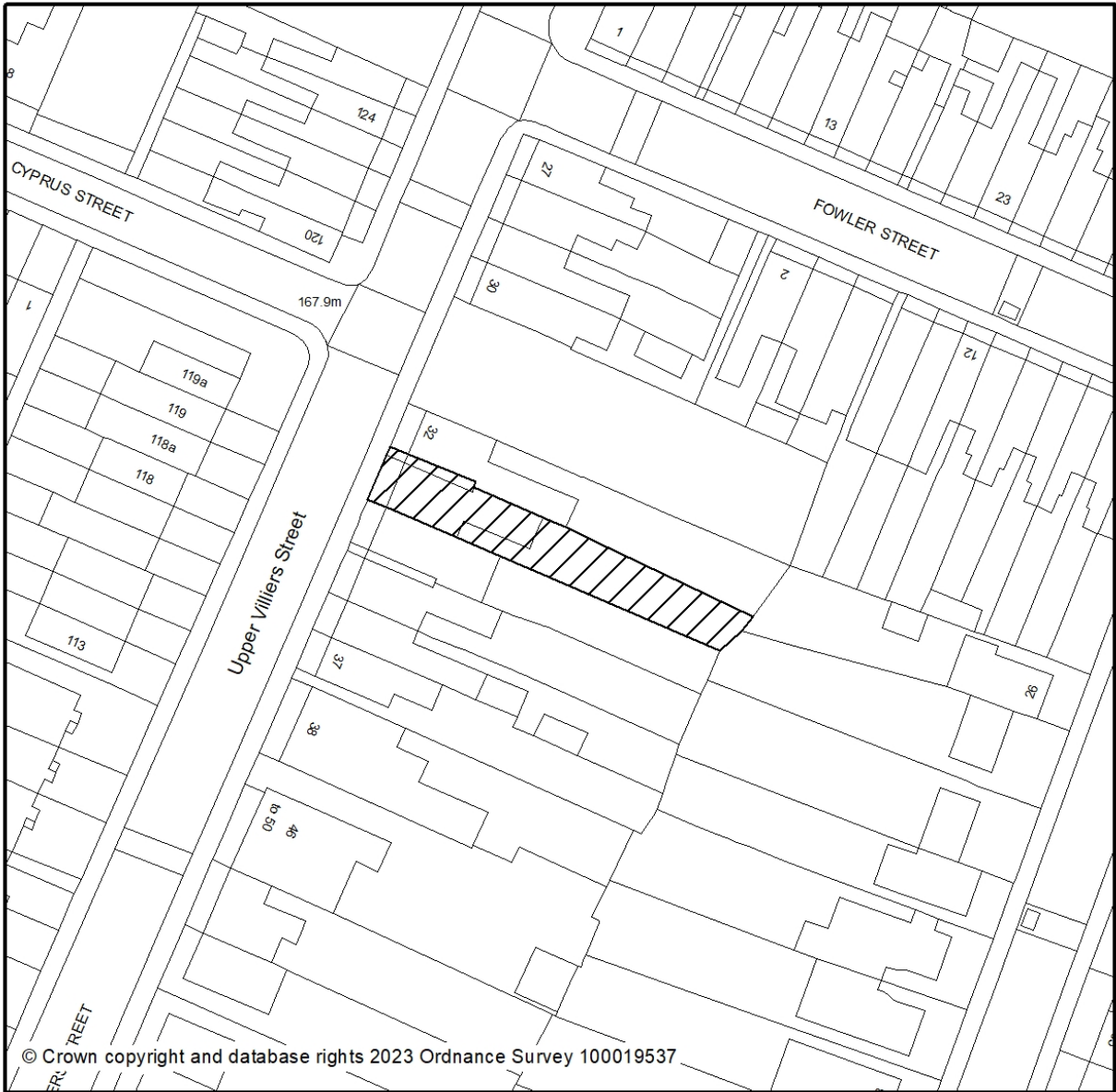
Please ensure that any means of escape within a flat is safe and the required fire alarms/detection are present, please refer to LACORs/Homestamp guidance for fire precaution standards in relation to fire doors, fire blankets and fire risk management, also assuming Building Regs will comment on this.

Please refer to the space and amenity guidance standard for houses in multiple occupation and self-contained flats.

<https://www.wolverhampton.gov.uk/sites/default/files/pdf/HMO-amenities-2018.pdf>

If the property has five or more occupants forming two or more households, is there only one main place of residence and share amenities then a mandatory HMO licence will be required. For more information please see the link

<https://www.wolverhampton.gov.uk/housing/house-multiple-occupation-licence>



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 23 May 2023
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Planning application no.	22/00888/FUL	
Site	23 Coppice Road, Wolverhampton, WV3 8BJ	
Proposal	Erection of one replacement detached dwelling with detached outbuilding and new front boundary treatment including gates, railings and wall	
Ward	Merry Hill	
Applicant	Mr P Birdi	
Cabinet member with lead responsibility	Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Ragbir Sahota	Planning Officer
	Tel	01902 555616
	Email	Ragbir.sahota@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to conditions.

2.0 Application site

2.1 The application site is a flat fronted detached property with a catslide roof. The property is situated in a street scene of predominantly detached houses which are of differing designs. The property is set back within the street resulting in a large front garden area as well as a large rear garden.

3.0 Application details

3.1 The application proposes the erection of a replacement detached dwelling with detached outbuilding and new front boundary treatment including gates, railings and wall.

3.2 The proposal seeks a modern designed detached house whilst incorporating the existing catslide roof element. The outbuilding is situated at the rear of the garden to house a leisure facility.

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) and the Black Country Core Strategy (BCCS).
- 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 BCCS policy ENV3 “Design Quality” aims to deliver a successful urban renaissance through high quality design that stimulates economic, social and environmental benefits.

5.0 Publicity

- 5.1 Two letters of objection and a seven signature petition from four different households were received objecting to the proposal on the following grounds:
 - Size and location of outbuilding;
 - Outbuilding not to be used for residential occupation;
 - Concerns for the ventilation and drainage of the use of the outbuilding;
 - Vehicular access to rear garden;
 - Dog pen and the possibility of it becoming a business.

6.0 Legal implications

- 6.1 There are no legal implications arising from this report. (SE/11052023/A)

7.0 Appraisal

- 7.1 The area is predominantly residential in character and is situated in a street scene of predominantly detached houses of differing designs. The application site of Coppice Road, the houses are set back from the road with large front garden/parking areas with further spacious gardens to the rear.
- 7.2 The adjacent houses have been extended and this proposal seeks to add a modern new addition in this street scene whilst retaining elements of the existing property in particular the cat-slide roof. The scale, massing, design and layout is considered as not to adversely affect the character and appearance of the adjacent properties and the street scene. Due to the position of the neighbouring properties, the property has been designed to have no adverse effect on their amenities.

- 7.3 The petition submitted objecting to the proposal largely raises concerns with the outbuilding, its location, size and its use. The applicant proposes to use this outbuilding ancillary to the main house as a leisure facility to house a gym, swim spa, sauna and steam room. The design of the roof is as such that to eaves the outbuilding has a height of 2.1 metres and to the ridge of the roof at 3.97 metres. The amenities of neighbours will not be adversely affected by this outbuilding as a result of the location and size of the building due to its setting in the large rear gardens. Furthermore the design of the roof slope is such that the eaves at 2.1 metres on the boundary with the properties to the eastern elevation will not cause those residents to be adversely affected by this proposal.
- 7.4 Concerns have been raised about the ventilation and drainage of the outbuilding as a result of it being used as a leisure facility housing a gym, swim/spa, sauna and steam room. However these are not material planning considerations and will be considered under Building Regulations.
- 7.5 Finally, the dog pen is for the family pet and the proposal does not propose to use the property as dog kennels.

8.0 Conclusion

- 8.1 The proposal has been considered and amended to be more in keeping with the scale and massing of the properties in the street scene. Whilst it offers a modern design, the properties within the existing street scene differ in design and therefore this is considered to be acceptable.
- 8.2 The concerns of residents, primarily about the outbuilding have been carefully considered and it has been determined that this would not harm their amenities. Furthermore other concerns raised are not material planning considerations and it is therefore considered to be acceptable and the proposal being in accordance with approved policies in the development plan.

9.0 Detail recommendation

- 9.1 Grant subject to the following conditions:

- Materials
- Details of boundary treatments
- Landscaping scheme
- Levels
- Sustainable drainage
- Electrical vehicle charging point
- Construction working hours
- Remove permitted development rights for extensions and outbuilding

Note for Information
Coal Mining

