

**Time** 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory  
**Venue** Committee Room 3 - 3rd Floor - Civic Centre

## Membership

**Chair** Cllr Paul Sweet (Lab)  
**Vice-chair** Cllr Gillian Wildman (Lab)

### Labour

Cllr Alan Butt  
Cllr Rita Potter  
Cllr Paul Brookfield  
Cllr Jacqueline Sweetman  
Cllr Tersaim Singh  
Cllr Jasbinder Dehar

### Conservative

Cllr Wendy Thompson  
Cllr Bob Maddox  
Cllr Simon Bennett

### Independent Member

Cllr Celia Hibbert

Quorum for this meeting is four Councillors.

## Information for the Public

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

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

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

# Agenda

## Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies for absence</b>  |
| 2               | <b>Declarations of interest</b>   |
| 3               | <b>Minutes of the previous meeting</b> (Pages 3 - 8)<br>[To approve the minutes of the previous meeting as a correct record]  |
| 4               | <b>Matters Arising</b><br>[To consider any matters arising]   |
| 5               | <b>23/00755/FUL - 20 Church Hill Road, Wolverhampton, WV6 9AT</b> (Pages 9 - 14)<br>[To consider the planning application].   |
| 6               | <b>23/01228/FUL - Task Consumer Products Ltd including the former Fablink site and land at rear, Citygate Park, Stafford Road, Wolverhampton, WV10 7FG</b> (Pages 15 - 22)<br>[To consider the planning application]. |
| 7               | <b>23/01137/FUL - Moseley Park School, Holland Road, Wolverhampton, WV14 6LU</b> (Pages 23 - 28)<br>[To consider the planning application].   |
| 8               | <b>23/00608/FUL - Site Of Former Bilston Tennis Courts, Villiers Avenue / Harper Road, Wolverhampton</b> (Pages 29 - 34)<br>[To consider the planning application].   |

## Attendance

### Councillors

Cllr Gillian Wildman (Vice-Chair)  
Cllr Alan Butt  
Cllr Paul Brookfield  
Cllr Jacqueline Sweetman  
Cllr Tersaim Singh  
Cllr Celia Hibbert  
Cllr Wendy Thompson  
Cllr Bob Maddox  
Cllr Simon Bennett

### Employees

Donna Cope	Democratic Services Officer
Stephen Alexander	Head of City Planning
Ragbir Sahota	Planning Officer
Stuart Evans	Solicitor
Gerwyn Owen	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 Paul Sweet, Councillor Rita Potter and Councillor Jasbinder Dehar.

**2        Declarations of interest**

There were no declarations of interest made.

**3        Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 11 July 2023 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **23/00984/OUT - Beckminster House, Birches Barn Road**

The Committee considered a report regarding 23/00984/OUT - Change of use of Beckminster House from offices to residential apartments, and construction of new apartment block.

Stephen Alexander, Head of City Planning, outlined the report and noted that since the agenda had been published a further objection had been received.

Val Lidster addressed the Committee and spoke in opposition to the application.

Stephen Symonds addressed the Committee and spoke in support of the application.

The Head of City Planning responded to comments made and explained that the proposals were acceptable. He stated that access on to Birches Barn Road had been carefully considered by the Transportation Officer and was acceptable.

The application was debated by Committee and the Head of City Planning responded to questions asked.

Concerns were raised regarding the proposed new apartment building to the rear of the site, in particular the proposed three-story element. Concerns were also raised regarding the loss of green space, traffic, and the potential change of demographics.

Councillor Celia Hibbert moved an amendment that the application be refused. Councillor Jacqueline Sweetman seconded the motion.

The Head of City Planning acknowledged the concerns raised. He explained that the proposals were acceptable, and that concerns about loss of privacy could be mitigated in the "reserved matters" application.

Subsequently, Councillor Jacqueline Sweetman withdrew seconding the motion to refuse the application.

Stuart Evans, Solicitor for Planning, advised that a vote was required on the amended motion. Upon being put to a vote, the amended motion to refuse the application was lost.

Councillor Alan Butt moved the recommendations within the report and Councillor Paul Brookfield seconded the recommendations.

Upon being put to a vote, the recommendations within the report were approved.

Resolved:

That outline application 23/00984/OUT be approved subject to a detailed reserved matters application, the signing of a S106 agreement for 25% “Affordable Housing” (unless this would make the development unviable) and any necessary conditions to cover the following matters:

- Reserved matters including landscaping, scale, design, appearance and means of access;
- Retention and restoration of listed building and front walls;
- Landscaping;
- Materials;
- Boundary treatments including retention of outbuilding walls where appropriate;
- No access from Holly Grove;
- Parking layout, including disabled parking, and associated signage;
- Bin and cycle storage;
- Electric vehicle charging points;
- Lighting;
- Security;
- Construction method statement;
- Ecology;
- Retention and protection of existing trees, and new tree planting;
- Renewable energy;
- Sustainable drainage.

6 **23/00871/FUL & 23/00814/LBC - Stockwell House, Stockwell Road, Wolverhampton**

The Committee considered a report regarding 23/00871/FUL & 23/00814/LBC - Erection of three detached houses on land at Stockwell House to enable the extension and refurbishment of the Grade II Listed Building namely Stockwell House and Grooms Cottage.

Ragbir Sahota, Planning Officer, outlined the report and noted that since the agenda had been published a further two letters of objection had been received.

Pardeep Kumar addressed the Committee and spoke in opposition to the application.

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

The Planning Officer responded to comments made and explained that the proposals were acceptable. He stated that the application had been correctly publicised, and that 86 letters had been sent out to residents in September notifying them of the application.

The application was debated by Committee and concerns were raised that not all residents had received letters and therefore had not been given sufficient notice of the application and their right to speak at the meeting. Concerns were also raised regarding ecology, traffic, and the lack of communication between the developer and residents.

Councillor Bob Maddox moved an amendment that the application be deferred to a future meeting.

The Head of City Planning responded to comments made and reaffirmed that 86 letters had been sent out to residents in September notifying them of the application and their right to speak. He further stated that the building was in a perilous state and needed immediate restoration that should not be postponed.

Ragbir Sahota, Planning Officer, responded to concerns from members, and explained that a licence from Natural England could not be granted until planning permission was in place.

Gerwyn Owen, Professional Lead - Transport Strategy, acknowledged the concerns raised and explained that the proposed parking provisions were acceptable. He further stated that concerns regarding the speed and volume of traffic on Stockwell Road were being looked into by the Road Safety Team and Traffic Control.

A member of the public within the public gallery requested to speak in opposition to the application, stating that she had not received any correspondence regarding the application or meeting.

The request was granted by the Chair.

Kirsty Westwood addressed the Committee and spoke in opposition to the application.

The application was considered further by Committee and concerns were raised regarding the loss of trees and the ecological impact of the development.

Councillor Hibbert seconded the motion that the application be deferred.

The Planning Officer responded to concerns raised and stated that the proposed mitigation measures regarding ecology and loss of trees were satisfactory.

The Head of City Planning reiterated his concern over the perilous state of the listed building. He advised members that all issues raised had been thoroughly addressed and urged them to approve the recommendations.

The application was debated further by Committee.

Upon being put to a vote, the motion to defer the application was lost.

Councillor Butt moved the recommendations within the report and Councillor Sweetman seconded the recommendations.

The application was debated further by Committee and the Head of City Planning responded to comments made. He explained that all concerns had been addressed and the benefits of the proposal outweighed the disadvantages.

Upon being put to a vote, the recommendations within the report were approved.

Resolved:

That planning application 23/00871/FUL & 23/00814/LBC be granted subject to the following conditions:

- Retention and restoration of listed building
- Prior to the commencement of developing the houses, the works to the listed buildings shall be completed
- Materials
- Large scale drawings of internal and external architectural elements
- Details of external joinery
- Details of boundary treatments
- Badger Mitigation Scheme/Ecology
- Retention and protection of existing trees, and new tree planting
- Renewable energy
- Tree Protection/Landscaping Scheme
- Access Arrangement
- Levels
- Lighting
- Sustainable drainage
- Construction Method Statement
- Remove permitted development rights for extensions and outbuildings.

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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2024</b>
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<b>Planning application no.</b>	23/00755/FUL	
<b>Site</b>	20 Church Hill Road, Wolverhampton, WV6 9AT	
<b>Proposal</b>	Rear single storey extension. Side single storey garage extension and Loft conversion including rear dormers	
<b>Ward</b>	Tettenhall Regis;	
<b>Applicant</b>	Mr Conor Nolan	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins, Leader of the Council	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Kirsty Hodson	Planning Officer
	Tel	01902 556726
	Email	Kirsty.hodson@wolverhampton.gov.uk

## 1.0 Summary recommendation

1.1 Grant, subject to conditions.

## 2.0 Application site

2.1 The property is a two-bedroom end terrace in the Tettenhall Greens Conservation Area with the boundary of the conservation area to the rear of the site.

## 3.0 Application details

3.1 The application originally sought permission for a large modern rear dormer, ground floor side and rear extensions, outbuildings, and roof lights on the front elevation. Following consultation with neighbours, amendments were received which have removed the roof lights from the front elevation, moved the side extension away from the neighbour's wall at no. 18 and changed the dormer from one large dormer to two smaller dormers.

3.2 Planning permission has previously been granted for a loft conversion (13/00959/FUL).

## 4.0 Relevant policy documents

4.1 National Planning Policy Framework. This encourages high quality design and "beautiful" buildings. Paragraph 9. Promoting Sustainable Transport, 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 Paragraph 16, Conserving and Enhancing the Historic Environment, encourages the sustaining and enhancing of heritage assets.

- 4.2 The Development Plan: Wolverhampton Unitary Development Plan (UDP) and the Black Country Core Strategy (BCCS) and the Tettenhall Neighbourhood Plan.
- 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 design, ensuring that developments are visually attractive as a result of good architecture, promoting local distinctiveness without imposing architectural styles to stifle innovation or originality.
- 4.5 UDP policies HE4 “Proposals Affecting a Conservation Area” and HE5 “Control of Development in a Conservation Area” aims to preserve and enhance the design, scale, materials, colour, design and appropriate of any new developments within a Conservation Area. The development should not adversely affect the historic street patterns and morphology, roofscape, skyline and setting of the conservation area, important open spaces, or significant views into, out of and within the area.
- 4.6 BCCS policy ENV2 “Historic Character and Local Distinctiveness” development should preserve and where appropriate enhance local character.
- 4.7 Tettenhall Neighbourhood Plan TNP12 Policy Part D “Historic Environment” policy development proposals should aim to sustain, reinforce, and conserve the historic aspects and special character of the following locally distinctive elements of the area.
- 4.8 Tettenhall Neighbourhood Plan Policy TNP22 Adequate and Appropriate Parking Measure a presumption against the loss of garages where sites are being redeveloped unless it can be demonstrated that there will be no significant impact on parking in the area or that other adequate provision for the parking of vehicles is provided on site but not on public roads.
- 4.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## **5.0 Publicity**

- 5.1 Initially there were 12 objections to the original plans and are summarised as follows:
  - Rear dormer would be visible from Bowood Drive, Church Hill Road and Lloyd Road.
  - The design and appearance of the dormer would be out of character and disproportionately large in the conservation area.
  - Loss of privacy.
  - Roof lights on the principal elevation being harmful to the conservation area.

- Loss of light.
- Impact on parking
- Loss of spaciousness
- Impact on boundary wall through side extension

5.2 Following the first set of amended plans 3 letters of objection were received, further amendments were submitted in response and three objections were received still concerned with the following:

- Overlooking/loss of privacy
- Overdevelopment of the property
- Overbearing impact of outbuilding
- Visibility from Bowood Drive
- Impact of garage extension on character and appearance of the conservation area.

## **6.0 Consultees**

6.1 Conservation: Following amendments, conditions recommended.

## **7.0 Legal implications**

7.1 Any decision of the planning committee must be carried out in accordance with the relevant legislative, internal, external, and Constitutional requirements/procedures as appropriate, taking into account the relevant provisions of the Relevant Policy Documents as set out above. Further implications and considerations of the objections and proposed conditions as to the grant of the permission are set out below (CS/02012024/1)

## **8.0 Appraisal**

8.1 The principle of the development is acceptable subject to sustaining and enhancing the significance of the conservation area, making a positive contribution to local character and distinctiveness. The principle of a dormer window is already established within this row with an existing dormer at 24 Church Hill Road.

8.2 The application has been amended to address the concerns raised by neighbours with particular regards to the size, design and appearance of the dormer, the loss of rooflights on the principal elevation and moving the side extension away from the neighbouring boundary wall. The amended plans allow for two small traditional dormers to the rear of the property, the positioning and mass of the dormers are in scale with the building and are of an appropriate design and appearance. Whilst comments have been made with regards to the visibility of the roof from Bowood Drive, this is not considered to be a significant view into the conservation area. The development will not adversely affect the historic roofscape and setting of the conservation area.

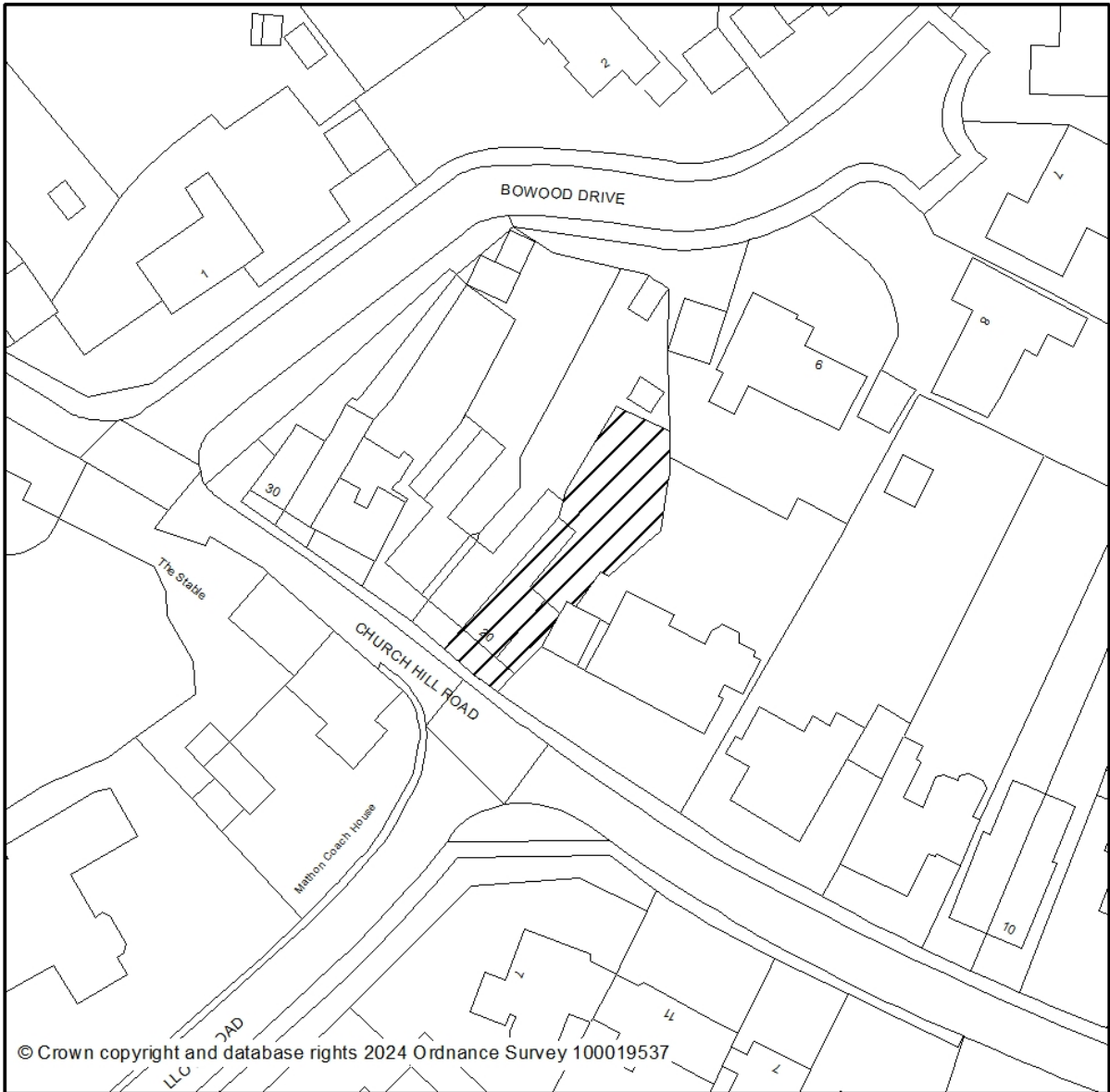
- 8.3 The front of the property will be enhanced through the replacement of the existing carport with a traditional brick-built extension set back from the highway, the dormer windows, extensions, and outbuildings are of an acceptable size and will not cause harm to the significance of the conservation area.
- 8.4 The proposed development would not cause unacceptable level of harm to neighbouring properties with regards to loss of light, privacy and would not be unduly overbearing to warrant refusal. The development accords with the development plan.
- 8.5 National Planning Policy Framework states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. The additional bedroom would not have such a significant impact on highway safety to warrant refusal on these grounds.

## **9.0 Conclusion**

- 9.1 The amendments to the application have resulted in a scheme which will now be of an appropriate scale, mass and design and would not cause significant harm to the character and appearance of the conservation area or neighbouring amenity and there are no justifiable reasons to refuse the application. The proposal is acceptable in accordance with the Development Plan polices set out in 4.1- 4.9 of this report.

## **10.0 Detail recommendation**

- 10.1 Grant subject to the following conditions:
- Development in accordance with the approved plans
  - Details of materials
  - Window details
  - Restrict first floor side window.



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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2024</b>
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<b>Planning application no.</b>	23/01228/FUL
<b>Site</b>	Task Consumer Products Ltd including the former Fablink site and land at rear, Citygate Park, Stafford Road, Wolverhampton, WV10 7FG
<b>Proposal</b>	Extension to existing production/warehouse facility and erection of new warehouse facility (Use Class B2General Industrial / B8 Storage or Distribution) with ancillary offices (Class E (g)(i)); formation of new access, car parking, landscaping and all ancillary works
<b>Ward</b>	Bushbury North;
<b>Applicant</b>	Sherborne Paper Ltd and Stoford Properties Ltd Task Consumer Products Citygate Park Stafford Road Wolverhampton WV10 7EJ
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins, Leader of the Council
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration
<b>Originating service</b>	Planning
<b>Accountable employee</b>	Phillip Walker                      Senior Planning Officer Tel    01902 55 5632 Email    phillip.walker@wolverhampton.gov.uk

## 1.0 Summary recommendation

- 1.1 Delegated authority to grant planning application 23/01228/FUL subject to conditions and a s106 agreement.

## 2.0 Application site

- 2.1 The application site is located approximately 3.3 miles to the north of Wolverhampton City Centre, on the western side of the A449 Stafford Road, adjoining existing large scale industrial development to the north and south, and the Staffordshire and Worcestershire Canal to the west, beyond which is the i54 Business Park. On the opposite side of the

A449, is two storey detached and semi-detached housing, some of which is set back behind landscaping. The A449 is a dual carriageway, which links with the nearby M54, to the north of the site.

- 2.2 The application site, is an irregular shape, including a landscaped frontage and access off Stafford Road. The eastern part of the site was occupied by an industrial building which was occupied until recently by Fablink. That building has been demolished and site clearance works are being undertaken. To the rear of the former Fablink site is a former landfill site, now comprising natural habitat and vegetation and forming an allocated site of local importance for nature conservation. The north-western part of the site includes a large warehouse/production building, and associated car parking, currently occupied by Task Consumer Products, who manufacture and distribute soft tissue products, including toilet tissue, kitchen towels and hand towels.

### **3.0 Application details**

- 3.1 The application proposals seek permission to extend the existing Task Consumer Product operations. This includes extending their existing building, creating an additional 7,757 sq.m of floor space and the erection of a link detached warehouse building, comprising 11,587 sqm of new floor space, for general industrial use or storage or distribution uses, including ancillary office space.
- 3.2 The proposed extension to the existing Task building, would be on its southern side and within the south-western part of the site. It would have a mono-pitch roof design and its height would be 12.5 metres to the eaves and 14.2 metres to the ridge. Its height compares similarly to the height of the existing building. Servicing for the extended building would predominately continue to be from the rear of and accessed via a new service road, along the southern side of the site.
- 3.3 The new link detached building would be located within the south-eastern part of the site and separated from the proposed extension to the existing Task building by an estate road but connected by a link bridge. The new building would have an eaves height of 14.5 metres, and a ridge height of 16.6 metres, with a barrel roof design. The vehicle parking would be on the eastern side of the building and servicing areas would be on its southern side.
- 3.4 A new access from Stafford Road is proposed, in the south-eastern corner of the site, including a new gatehouse to manage traffic flow in and out of the site. Landscaping is allocated to the full perimeter of the site to soften the transition to the surroundings.
- 3.5 The buildings would be a contemporary, high-quality design, constructed from silver, grey and white pre-formed cladding panels, and large elements of powder coated aluminium curtain walling, including glazing to offices and reception areas. The Design and Access Statement, states that the aim is to achieve an “Excellent” rating under the BREEAM New Construction 2018 scheme.



3.6 The application is supported by a letter from the applicant which states that these proposals, will enable Task to consolidate their operations within this one site, and support growth of the business, representing a £30 million investment to the site. There are currently 128 full-time employees. These proposals are expected to create an additional 50 full-time jobs.

#### **4.0 Relevant planning history**

4.1 23/01069/PAOTH. Demolish existing manufacturing warehouse to ground level, removal of foundations, pits and surrounding slabs. Granted 24.10.2023.

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

5.1 National Planning Policy Framework (NPPF)

5.2 The Development Plan

Wolverhampton Unitary Development Plan (UDP)

Black Country Core Strategy (BCCS)

Black Country Air Quality SPD

Stafford Road Corridor Area Action Plan

#### **6.0 Publicity**

6.1 One objection received from a local resident. Comments summarised as follows:

- These proposals will exacerbate the existing noise and general disturbance problems relating to this site.

#### **7.0 Consultees**

7.1 Transportation – No objections subject to conditions requiring a construction management plan, the provision and retention of vehicle and HGV parking and manoeuvring areas, , cycle/motorcycle parking, bin storage facilities, electric vehicle charging points and implementation of recommendations of the submitted Travel Plan.

7.2 Public Protection – No objection subject to conditions requiring the implementation of the recommendations of the contaminated land remediation report, noise and air quality reports.

7.3 Canal and River Trusts – Comments raised about the impact of the development proposals on the land West of Stafford Road Site of Local Importance for Nature Conservation (SLINC) which is contiguous with the Staffordshire and Worcestershire Canal Site of Importance for Nature Conservation (SINC); the reduction in the SLINC area on the site; and request that sufficient, robust information be provided to address any detrimental impacts on ecological values of the wider SINC/SLINC network including the canal corridor. Request that an acceptable drainage scheme and boundary treatments should be secured.

- 7.4 Environment Agency – No objection subject to conditions to secure satisfactory drainage, contamination remediation and piling proposals.
- 7.5 Active Travel England – Issue standing advice note, to promote sustainable travel.
- 7.6 South Staffordshire District Council – No comments received at the time of writing this report.

## **8.0 Legal implications**

- 8.1 Any decision of the planning committee must be carried out in accordance with the relevant legislative, internal, external and Constitutional requirements/procedures as appropriate, taking into account the relevant provisions of the Relevant Policy Documents as set out above. Further implications and considerations of the objections and proposed conditions as to the grant of the permission are set out below (CS/02012024/2)

## **9.0 Appraisal**

- 9.1 The main issues in this case are:
- The principle of the development proposal including development resulting in the loss of part of a Site of Local Importance for Nature Conservation (SLINC)
  - Design
  - Resident Amenity
  - Access and Parking
  - Flood Risk Assessment

The principle of the development proposal including development resulting in the loss of part of a Site of Local Importance for Nature Conservation (SLINC)

- 9.2 The application site is located within “Junction 2” Character Area, as defined by the Stafford Road Corridor Area Action Plan (AAP). The aspiration for this area, is that it becomes the premier high quality employment location.
- 9.3 The application site includes two allocated employment opportunity sites, which are referenced as EDO6 Citygate Park (the existing Task site) and EDO7 Bettles Site (the former Fablink site). It also includes a site of local importance for nature conservation (SLINC) and referenced NAT 1. It is adjacent to the Staffordshire and Worcestershire Canal Site of Importance for Nature Conservation (SINC).
- 9.4 AAP policy SRC1 states, within Employment Development Opportunity Areas, more extensive redevelopment of sites for employment purposes will be supported, where this is comprehensive, in order to avoid piecemeal development. In respect of the application site, approval of any redevelopment proposal is subject to the inclusion of compensatory provision for loss of the SLINC.
- 9.5 BCCS Policy ENV1 states that development within SLINC’s will be protected from development proposals which would negatively impact upon them. Where, exceptionally,

the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological feature, damage must be minimised. Any remaining impacts, including any reduction in area, must be fully mitigated. Compensation will only be accepted in exceptional circumstances. A mitigation strategy must accompany relevant planning applications.

- 9.6 These development proposals seek permission to redevelop the two employment development opportunity areas, and in doing so are in accordance with AAP policy SRC1. However, the proposals, do result in the loss of a large part of the SLINC, and would be harmful to the habitat and biodiversity value of the site. The application is supported by a mitigation strategy and detailed landscape scheme which seek to minimise the damage. The application would also have strategic benefits, particularly in terms of job creation and investment, which outweigh to an extent the harm. The loss in SLINC area, will also be mitigated by a compensatory payment of £200,000 for off-site improvement to Pendeford Mill Nature Reserve, or in the event that, upon receipt of the compensatory payment, the project of improvement works at Pendeford Mill Nature Reserve have already been completed, to such other offsite open space or spaces nearby to the application site and for such purposes as may be determined by the Council. This can be secured by a planning obligation. Therefore, whilst these proposals result in the loss of a large part of a SLINC, which would be contrary to the development plan allocation, the application has satisfactorily demonstrated that the proposal is in compliance with provisions of BCCS policy ENV1, which allow for redevelopment of SLINC sites such as this in exceptional circumstances. Therefore, these proposals can be accepted in principle.

#### Design

- 9.7 The proposed extension, new build link attached building and associated infrastructure, would be a modern, contemporary design, with buildings constructed from attractive cladding and glazing within a landscaped setting, which would amongst other things, improve the Stafford Road frontage. The scale and layout of the buildings and car parking areas respect the character and appearance of the surroundings including the adjacent Staffordshire / Worcestershire and Shropshire Union Canal Conservation Area and Site of Importance for Nature Conservation. Overall, the proposals are appropriate for this location. The proposals comply with UDP policies D9 Appearance, HE4 Proposals Affecting a Conservation Area, HE13 Development Affecting a Listed Building, BCCS policies ENV2 Historic Character and Local Distinctiveness and ENV3 Design Quality

#### Resident Amenity

- 9.8 The application site is approximately fifty metres away from the nearest houses on the opposite side of A449, to the east. The proposals include the removal of some existing trees from the site frontage to facilitate the creation of a new site access. Although, there would be new replacement tree planting provided to the frontage, the proposals will

create a more open aspect of the site when viewed from A449, and also the houses on the opposite side of the A449. However, the design of the new buildings and car parking would not be incongruous but appropriate for this setting, and as such the visual impact, would be acceptable. The proposals are therefore in accordance with development plan policy including UDP policy D9 Appearance, HE4 Proposals Affecting a Conservation Area, HE13 Development Affecting a Listed Building, BCCS policies ENV2 Historic Character and Local Distinctiveness and ENV3 Design Quality.

- 9.9 There is potential for noise and other forms of general disturbance from the new facilities. However, the application is supported by noise and air quality reports, which satisfactorily demonstrates that the impact of the proposals in terms of noise and air quality would be acceptable subject to conditions including requirement for noise attenuation to external plant and equipment, and implementation of travel plan recommendation and provision of electric vehicle charging points. The proposals are therefore in accordance with development plan policy including EP5 Noise Pollution, EP11 Development on Contaminated or Unstable Land and BCCS policy ENV8 Air Quality and the Black Country Air Quality SPD.

#### Access and Parking

- 9.10 The proposals include acceptable access and vehicle parking facilities, including cycle parking and electric vehicle charging points, which would be satisfactory to meet likely demand. The application includes an acceptable Travel Plan. The proposals are therefore in accordance with development plan policy including BCCS policy TRAN 2 Managing Transport Impacts of New Development.

#### Flood Risk Assessment

- 9.11 The submitted flood risk assessment is acceptable subject to receiving amendments relating to matters of detail. The proposals are therefore in accordance with saved UDP policy EP9 Sustainable Drainage Arrangements for Development.

### **10.0 Conclusion**

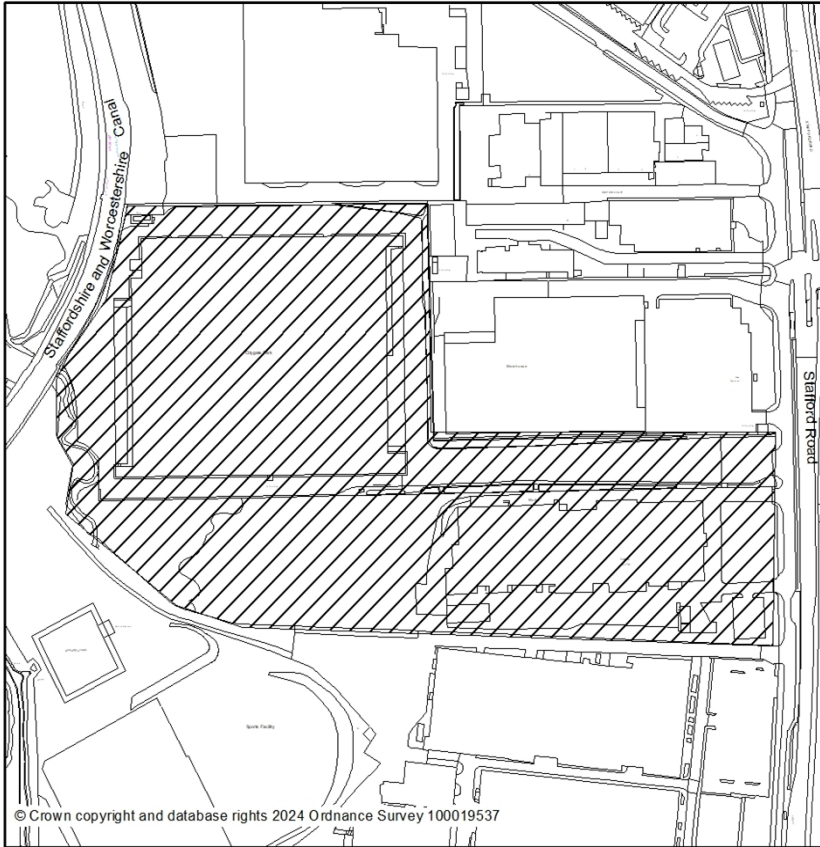
- 10.1 The principle of redeveloping the employment development opportunity sites is acceptable. The application has also demonstrated that although the proposals would result in harm to an allocated SLINC, including loss of SLINC area, there would be acceptable mitigation proposals and compensatory provision, in the form of a financial payment to secure off-site improvements to Pendeford Mill Nature Reserve, such that these proposals can be supported.
- 10.2 The proposals demonstrate a high-quality design approach to the redevelopment of this site, which would enable the growth of an existing business within this one site, resulting in significant financial investment and job creation.
- 10.3 The proposals have demonstrated that there will be no unacceptable impacts in terms of surrounding residential or environmental amenity.

10.4 Subject to conditions and a planning obligation to secure an off-site financial contribution to improve Pendeford Mill Nature Reserve, and receipt of acceptable amendments to the submitted flood risk assessment, the proposals are acceptable.

## 11.0 Detail recommendation

11.1 Delegated authority to grant application 23/01228/FUL subject to:

- i. A Planning obligation to secure:  
Compensatory payment of £200,000 for the loss of part of the SLINC, to be spent on improvements to Pendeford Mill Nature Reserve, or in the event that, upon receipt of the compensatory payment, the project of improvement works at Pendeford Mill Nature Reserve have already been completed, to such other offsite open space or spaces nearby to the application site and for such purposes as may be determined by the Council.
- ii. Amended details to resolve the drainage objection;
- iii. Any necessary conditions to include:
  - Phasing
  - Demolition and Construction
  - External lighting specification
  - Landscaping and tree protection measures
  - Boundary treatments
  - External storage
  - External materials
  - Targeted recruitment and training
  - Levels
  - Drainage
  - Piling
  - Parking to be provided and retained as shown
  - Electric vehicle charging points
  - Gatehouse proposals to be implemented as shown on submitted details
  - Cycle and motorcycle parking to be implemented as shown on submitted details
  - Bin stores to be implemented as shown on submitted details
  - Car parking management plan to be submitted and approved
  - 10% renewable energy – provision in accordance with submitted energy report
  - Ecology mitigation as detailed in submitted ecology appraisal
  - Full details of (including noise emissions and external appearance) of any external plant and equipment or plant openings within the new buildings be designed and installed to achieve the noise limit criteria as required by the submitted noise report
  - Site investigation and implementation of any necessary remediation works and submission of validation reports
  - Implementation of Travel Plan



<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2024</b>
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<b>Planning application no.</b>	23/01137/FUL	
<b>Site</b>	Moseley Park School, Holland Road, Wolverhampton, WV14 6LU	
<b>Proposal</b>	Proposed demolition of existing sports hall building and erection of new sports centre, hard surfaced sports courts and car park extension	
<b>Ward</b>	Bilston North;	
<b>Applicant</b>	Central Learning Partnership Trust	
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins: Leader of the Council	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Phillip Walker	Senior Planning Officer
	Tel	01902 55 5632
	Email	phillip.walker@wolverhampton.gov.uk

## 1.0 Summary recommendation

1.1 Grant planning application 23/01137/FUL subject to conditions.

## 2.0 Application site

2.1 Moseley Park School, is located approximately 2.5 miles to the south-east of Wolverhampton City Centre and 0.5 miles from the north of Bilston Town Centre. It is a large site, including a mixture of one and two storey buildings, playing fields and car parking. The main site access is off Holland Road and there is a secondary access off Freeman Place. To the north, east and south, the site is adjoined by housing and their private gardens. To the north-west and west of the site there is public open space and The Grapes Pool.

## 3.0 Application details

3.1 The application proposes the demolition of the existing sports hall, and its replacement elsewhere on the site by a modern two storey sports building. The area of the site which is currently occupied by the existing sports hall, would be replaced by additional car

parking provision. The alterations and extension to the existing car park, will result in an uplift of fifty car parking spaces. The total car parking provision at the site would be 145 spaces.

- 3.2 The new sports hall would be sited on an area of the site at the rear of the existing school buildings. The land currently forms external hard surfaced sports courts. The proposal includes re-provision of those courts, in the form of two small courts, immediately to the west of the new sports centre building, allowing for outdoor tennis, netball and small sided football matches. The external courts would not include floodlighting.
- 3.3 The Design and Access Statement states that the existing sports hall building, is in a poor state of repair and not fit for purpose. The new building would be a high-quality design, incorporating brick and external render finishes and glazing. The building would include an indoor ball court and gymnasium as well as changing and classroom space.
- 3.4 There would be some community use of the new facilities. The details of the community use, including management and hours of access, would be controlled by a community use agreement which would be subject to a planning condition. The proposed hours of community use would be:

Term Time Community Use:

- Mon to Fri 1800 – 2130
- Sat – 0830 - 2100
- Sun – 0900 – 1600

Non-Term Time:

- Mon to Fri – 0830 – 2130
- Sat – 0830 – 2100
- Sun – 0900 – 1600

#### **4.0 Relevant planning history**

- 4.1 17/01378/FUL. Proposed part demolition of existing school buildings and the erection of a new, two storey extension providing teaching accommodation. Granted 07.03.2018.

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

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan

Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Black Country Air Quality SPD

#### **6.0 Publicity**

- 6.1 Two representations received from local residents, one of which is signed by eight people from six different households. Comments summarised as follows:



- Noise and general disturbance concerns about the use out of the new facilities, particularly by the public, outside of normal school hours
- Parking, highway and pedestrian safety concerns
- Concerns about scale and visual impact of the development proposals
- Request that the existing access from Freeman Place is no longer used as an access to and from the school
- The trees between the site and Freeman Place should be retained
- Suggest a new school access from Prouds Lane, running alongside Fieldside Walk and into the school
- Concerns about floodlighting and impact on neighbour amenity
- Request that the trees between the site boundary and rear gardens of properties on Moseley Road be reduced in height and some ground works be carried out to reduce invasive plants

## **7.0 Consultees**

- 7.1 Transportation – No objection subject to conditions requiring provision and retention of car parking, cycle and motorcycle parking.
- 7.2 Public Protection – No objection subject to conditions requiring a coal mining and site contamination remediation strategy, including agreement and implementation of gas protection measures.
- 7.3 Sports England – No objection subject to conditions requiring specification for the proposed ball courts; requirement that the proposed sports hall shall not be occupied or used until the proposed replacement sports courts have been constructed and made available for use; and establishment of a community use agreement, to include hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review.

## **8.0 Legal implications**

- 8.1 Any decision of the planning committee must be carried out in accordance with the relevant legislative, internal, external and Constitutional requirements/procedures as appropriate, taking into account the relevant provisions of the Relevant Policy Documents as set out above. Further implications and considerations of the objections and proposed conditions as to the grant of the permission are set out below (CS/14122023/1).

## **9.0 Appraisal**

- 9.1 The main issues in this case are:
- The principle of the development proposal
  - Design
  - Resident Amenity
  - Access and Parking

The principle of the development proposal

- 9.2 The proposals will improve and enhance the existing educational and sporting facilities, and associated infrastructure at the school. The proposals are therefore acceptable in principle and in accordance with development plan policy, including BCCS Policy HOU5 Education and Health Care Facilities.

Design

- 9.3 The layout, scale and appearance of the proposed car parking, sports centre and external hard ball courts are in keeping with the character and appearance of the site and surroundings. The proposals are therefore in accordance with development plan policy including BCCS policies ENV2 Historic Character and Local Distinctiveness and ENV3 Design Quality.

Resident Amenity

- 9.4 The proposed demolition of the existing sports hall and creation of additional car parking spaces will result in a more open aspect for some neighbouring residents, particularly those nearest that part of the school site including some properties at Freeman Place, Holland Road and Moseley Road. The visual impact of the car park extension would be appropriately mitigated by the proposed landscaping scheme which includes the retention of existing perimeter trees and some new tree planting. It is unlikely that the car parking proposals would result in unacceptable levels of disturbance to neighbour residents subject to conditions controlling the use of the sports facilities.
- 9.5 The nearest residents to the north of the site, those on Moseley Road, have back gardens, adjoining the site, the nearest of which are fifty metres from the proposed position of the proposed two storey sports building, ball courts and car parking. However, because the design of the proposed development is in keeping with the existing buildings and infrastructure at the site, and there are intervening trees and playing field between those neighbouring gardens, the visual impact of the proposals would be acceptable.
- 9.6 There is potential for noise and other forms of general disturbance from the new facilities. However, it is not expected that the residential amenity impact of these proposals, would be any more harmful than is currently the case. Although there would be community use of the facilities, this will be managed by a community use agreement, and subject to a planning condition. It would also be appropriate to prevent the installation of floodlights for the outdoor ball courts and restrict hours of community use, by conditions. The proposals are therefore in accordance with development plan policies including UDP policies EP4 Light Pollution and EP5 Noise Pollution.
- 9.7 To mitigate any adverse air quality implications of the proposed development, and in accordance with requirements of BCCS policy ENV8 Air Quality and the Black Country

Air Quality SPD, three electric vehicle charging points should be provided. This can be conditioned.

#### Access and Parking

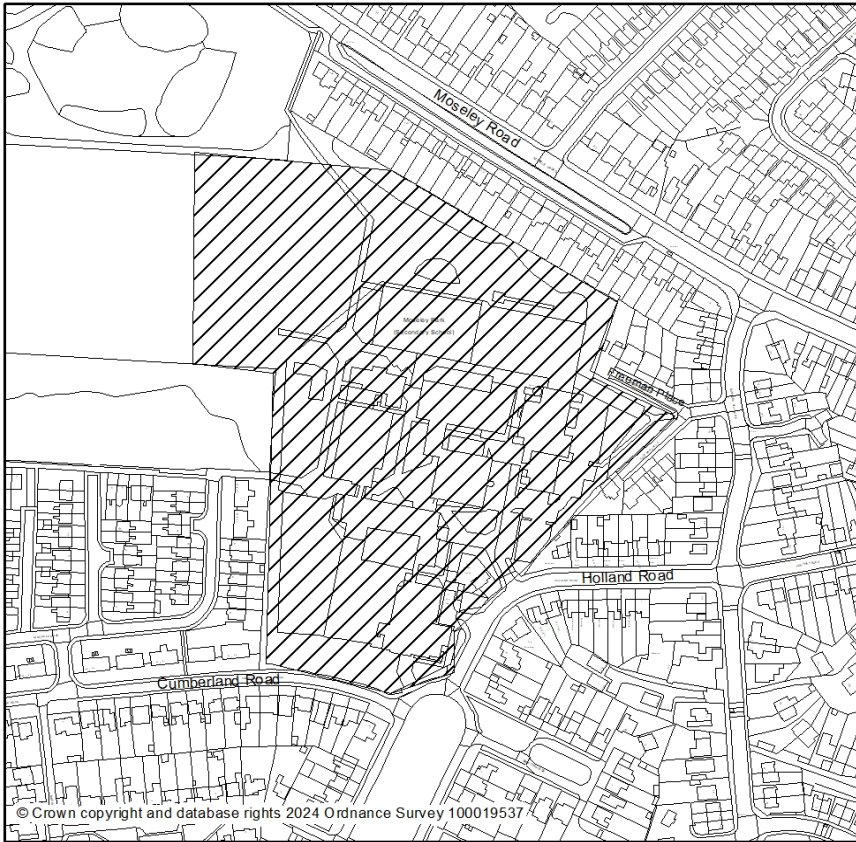
- 9.8 The proposals include acceptable access and parking facilities, which would be satisfactory to meet likely demand. The proposals are therefore in accordance with development plan policy including BCCS policy TRAN 2 Managing Transport Impacts of New Development.

### **10.0 Conclusion**

- 10.1 These proposals result in improvements and enhancements to existing school education, sporting and infrastructure facilities. Subject to conditions to control hours of use and management of the facilities, the proposals will not have a detrimental impact upon neighbour amenity. The proposal are acceptable and in accordance with the policies of the development plan.

### **11.0 Detail recommendation**

- 11.1 Delegated authority to grant planning application 23/01137/FUL subject to conditions including,
- Demolition and construction plan
  - Coal Mining and Contamination mitigation and remediation (including gas protection)
  - Drainage
  - Detailed specification for ball courts including perimeter fencing
  - The proposed replacement sports courts to be provided and available for use prior to the first use or occupation of the sports centre
  - Community use agreement to include hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review
  - Tree protection measures
  - Existing and proposed levels details to be agreed
  - Boundary treatments
  - External materials
  - Implementation of landscaping
  - Provision and retention of car parking
  - No external lighting including floodlighting without prior approval of the local planning authority
  - Provision of three electric vehicle charging points
  - Ecology
  - Hours of Community use; Term Time Use, Mondays to Fridays 1800 – 2130, Saturdays – 0830 – 2100 and Sundays – 0900 – 1600. Non-Term Time: Mondays to Fridays – 0830 – 2130, Saturdays – 0830 – 2100 and Sundays – 0900 – 1600



<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2024</b>
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<b>Planning application no.</b>	23/00608/FUL
<b>Site</b>	Site of Former Bilston Tennis Courts, Villiers Avenue / Harper Road, Wolverhampton, West Midlands.
<b>Proposal</b>	Erection of 11 two and three bedroom semi-detached and detached dwellings.
<b>Ward</b>	Bilston North
<b>Applicant</b>	City of Wolverhampton Council
<b>Cabinet member with lead responsibility</b>	Councillor Steve Simkins, Leader of the Council
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration
<b>Originating service</b>	Planning
<b>Accountable employee</b>	Vijay Kaul                      Section Leader (Planning)  vijay.kaul@wolverhampton.gov.uk

## **1.0 Summary recommendation**

1.1 Grant subject to conditions.

## **2.0 Application site**

2.1 The site of Former Bilston Tennis Club, located on the corner of Villiers Avenue and Harper Road, it is currently vacant and has not been in use for several years.

2.2 The 0.27 hectare site is situated in a residential area, Villiers Avenue is to the west, Elm Avenue adjoins the eastern boundary and Harper Road to the north. There are a variety of house types in this area.

## **3.0 Application details**

3.1 The application proposes the erection of eleven two and three bedroom dwellings to be managed by Wolverhampton Homes, each would be two storeys high, fronting Villiers Avenue.

3.2 A single vehicular access point would be created from Villiers Avenue leading to one off-street parking space per two bed dwelling and two off-street parking spaces for each

three bed dwelling. New tree planting and landscaping will be introduced within the site. New boundary treatment will be provided across the site.

- 3.3 Amended plans were submitted during to the course of the application to reduce these number of units from 12 to 11, and to create a single vehicular access point from Villiers Avenue rather than individual driveways.

#### **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)

- 4.3 Open Space Strategy & Action Plan (Updated June 2018)

#### **5.0 Publicity**

- 5.1 The application was advertised by direct neighbour notification and site notices. Representations from six neighbours has been received and summarised as follows;

- Roads are narrow, will lead to disruption, increased traffic flows, congestion and increased danger to residents/children
- Local infrastructure cannot cope with demands of new residents
- Site has naturally vegetated for local wildlife. Should remain for community meeting place such as wildlife area, allotments or open space
- Loss of privacy, sunlight and noise pollution
- Development will disrupt peace and tranquility, particularly nearby disabled residents.
- Too dense and design of dwellings not in keeping with character of area
- Social housing is not in-keeping with the area
- Loss of market value
- Potential crime and anti-social behaviour during construction

#### **6.0 Consultees**

- 6.1 Highways: No objection subject to conditions.

- 6.2 Environmental Health: No objection subject to scheme to deal with land contamination and ground gases.

- 6.3 Tree Officer – No objection subject to conditions.

- 6.4 Coal Authority: No objection subject to a condition requiring a detailed remediation scheme to protect the development from the effects of land instability derived from past underground mining activity.
- 6.5 Severn Trent Water: No objection subject to a condition requiring drainage details.
- 6.6 Lead Local Flood Authority: No objection subject to condition.

## **7.0 Legal implications**

- 7.1 Any decision of the planning committee must be carried out in accordance with the relevant legislative, internal, external and Constitutional requirements/procedures as appropriate, taking into account the relevant provisions of the relevant Policy Documents as set out above. Further implications and considerations of the objections and proposed conditions as to the grant of the permission are set out below (CS/04012024/1)

## **8.0 Appraisal**

- 8.1 The main issues for consideration are:

- Principle of development
- Character and appearance
- Highways and Parking
- Impact on trees
- Residential amenity
- Ecology

### **Principle of development**

- 8.2 Following Bilston Tennis Club relinquishing their lease on the site several years ago, the site became vacant and fell into disrepair. In June 2017, the Cabinet (Resources) Panel approved the proposal to re-develop this site under the Housing Revenue Account (HRA) capital new build programme for the provision of affordable council housing to help meet the housing needs of residents in the City, managed by Wolverhampton Homes. The site has also been included in the Council's Strategic Housing Land Availability Assessment (SHLAA), as suitable for housing.
- 8.3 The principle of development has previously been established by a previous planning application 20/00673/FUL which comprised of 10 two-bedroom dwellings, granted planning permission on 10<sup>th</sup> February 2021 (following Planning Committee on 12<sup>th</sup> January 2021).
- 8.4 Sport England and the Lawn Tennis Association raised no objection to the use of this site for 100% affordable housing, subject to payment of £40,000 from HRA funds to mitigate

for the loss of the tennis courts, to be used to improve the tennis courts at East Park. This payment was authorised by the Cabinet (Resources) Panel.

- 8.5 The principle of residential development continues to be acceptable.

### **Character and appearance**

- 8.6 While the scheme is no longer being constructed to a Passivhaus Standard, the proposed houses would incorporate high quality design credentials that meet the Proposed new Future Homes Standard 2025, currently in public consultation. These would produce highly efficient buildings which use low-carbon heat and have the best fabric standards possible, ensuring they are better for the environment and fit for the future. These would incorporate a variety of proposals/measures including removal of gas heating (electric radiant heating in lieu), high efficiency water tanks, solar PV and battery storage, high performance glazing, timber frame construction and highly insulated cavities.
- 8.7 The position, scale and height of the two storey dwellings are acceptable when viewed in conjunction with surrounding development and the modern external design respects the local character and would contribute to the varied dwelling types already found in the area. A condition is required to agree the final materials schedule.
- 8.8 The end units would contain secondary windows contributing to an active street frontage to Harper Road, this in addition to new tree provision and landscaping ensures the development would not harm the character and appearance of the surrounding area.

### **Highways and Parking**

- 8.9 As Villiers Avenue is already traffic calmed, the proposed new single point vehicular access is acceptable which provides appropriate vehicular visibility splays. This addresses neighbours' concerns originally raised with access points being introduced along Harper Road.
- 8.10 In this location close to Bilston Town Centre, the Highways Officer confirms the off-street parking provision is acceptable, which comprises of one space per two-bedroom dwelling and two spaces per three-bedroom dwelling. There would be no unacceptable harm to highway safety.

### **Impact on trees**

- 8.11 The single vehicular access point has been designed to avoid conflict with street trees along Villiers Avenue. The layout ensures no harm to trees in adjacent residential gardens as dwellings would be constructed outside root protection areas (RPAs). A condition is required for a design and method statement.



## **Residential amenity**

- 8.12 The rear elevation of proposed dwellings would be at least 22m away from habitable rooms of dwellings located in Elm Avenue. Boundary treatment would further protect the relationship between dwellings. No harm upon these neighbours would arise.
- 8.13 The dwellings have been arranged to protect the immediate outlook from and daylight to adjacent neighbours. The semi-detached pair closest to 'Tregonwel' (immediately south of site) have been designed to have a lower eaves height to replicate the scale of the previously approved dormer bungalows, therefore reducing any overbearing impact. Any side facing first floor windows would need to be obscure glazed and openers restricted to no less than 1.7m high from the internal room level. This would protect the privacy of 'Tregonwel' and 33 Villiers Avenue, and 12 Elm Avenue.
- 8.14 Each new dwelling would be provided with sufficient private amenity space in separate rear gardens.

## **Ecology**

- 8.15 The accompanying Preliminary Ecological Assessment confirms no harm to protected species. A condition is required to implement recommendations, Ecological Mitigation and Enhancement Strategies.

## **9.0 Conclusion**

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

## **10.0 Detail recommendation**

- 10.1 That planning application 23/00608/FUL is granted subject to the following conditions:

- External materials
- Levels
- Construction Management Plan (inc operational hours)
- Land contamination and ground gas
- Detailed remediation scheme (coal mining)
- Drainage
- Landscaping
- Tree protection measures
- Ecological Mitigation and Enhancement
- Visibility Splays
- Implement access and parking
- Agree street furniture to be removed or relocated
- Boundary/retaining treatments
- Electric charging points
- Renewable energy
- Remove PD rights for rear extensions / dormers
- Obscure glazing / top openers (1.7m from room level) to first floor side elevation windows

