



Planning Committee

23 September 2014

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

Membership

Chair Cllr Linda Leach (Lab)
Vice-chair Cllr Harman Banger (Lab)

Labour

Cllr Ian Claymore
Cllr Claire Darke
Cllr Dr Michael Hardacre
Cllr Keith Inston
Cllr John Rowley
Cllr Judith Rowley
Cllr Bert Turner

Conservative

Cllr Christopher Haynes
Cllr Wendy Thompson
Cllr Jonathan Yardley

Quorum for this meeting is four Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

Contact John Wright
Tel/Email Tel 01902 555048 or email John.wright@wolverhampton.gov.uk
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Wolverhampton WV1 1RL

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

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 1 - 2)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |

DECISION ITEM

- | | |
|----|---|
| 5 | Planning Application 14/00697/OUT Observer Buildings,2 Lower Street, Wolverhampton (Pages 3 - 8)
[To determine the application] |
| 6 | Planning Application 14/0083/OUT New Cross Car Park, Wolverhampton Road, Wolverhampton (Pages 9 - 14)
[To determine the application] |
| 7 | Planning Application 14/00266/FUL The Lych Gate, Chamberlains Lane, Wolverhampton (Pages 15 - 20)
[To determine the application] |
| 8 | Planning Application 14/00726/FUL Former Christ Church of England Infant School, Leicester Street, Wolverhampton (Pages 21 - 26)
[To determine the application] |
| 9 | Planning Application 14/00705/FUL Land at Carlton Road, Wolverhampton (Pages 27 - 32)
[To determine the application] |
| 10 | Planning Application 1400787FUL 110 Wergs Road Wolverhampton (Pages 33 - 38)
[To determine the application] |

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Planning Committee

Minutes - 22 July 2014

Attendance

Councillors

Cllr Linda Leach (Chair)
Cllr Harman Banger (Vice-Chair)
Cllr Ian Claymore
Cllr Claire Darke
Cllr Dr Michael Hardacre
Cllr Keith Inston
Cllr John Rowley
Cllr Judith Rowley
Cllr Wendy Thompson
Cllr Bert Turner

Employees

Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Martyn Gregory	Section Leader
Marianne Page	Section Leader - Transportation
John Wright	Democratic Support Manager

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillors Haynes and Yardley.

2 Declarations of interest

None

3 Minutes of the previous meeting

The minutes of the meeting held on 17 June 2014 were approved as correct record and signed by the Chair.

4 Matters Arising

There were no matters arising.

5 Planning Applications 14/00595/FUL and 14/00596/LBC Former Bilston Police Station, Mount Pleasant, Bilston

Resolved

1. That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 14/00595/FUL subject to:
 - (i) Completion of a Section 106 agreement to secure;
 - Off-site contribution for open space and play in Bilston Town Centre £15,251
 - 10% renewable energy
 - (ii) Any necessary conditions to include:
 - Details of replacement window joinery/window frames
2. That Listed Building consent 14/00596/LBC be granted and any necessary conditions to include:
 - Details of replacement window joinery/window frames.

6 Planning Application 14/00303/FUL The Limes, 2 Limes Road, Tettenhall

The Senior Planning Officer informed the Committee that an additional condition was proposed to prevent windows being inserted in to the elevation facing neighbouring flats.

Resolved

That planning application 14/00303/FUL be granted, subject to any appropriate conditions including:

- Prior to the commencement of the development, details of external joinery details for new windows and doors shall be submitted and agreed in writing by the local planning authority.
- The outbuildings shall be used only for the use by the residents of flat 2 The Limes and not for any commercial, industrial or business purpose nor as a separate dwelling
- Matching materials
- No windows in elevation facing towards the neighbouring flats



Planning Committee

23 September 2014

Planning application no.	14/00697/OUT
Site	Observer Buildings, 2 Lower Street, Wolverhampton
Proposal	Application for Outline Planning Permission with all matters reserved for demolition of existing industrial buildings and redevelopment of site to provide five dwellings
Ward	Tettenhall Regis
Applicant	Mr J York
Agent	Mr S T Wright
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Ragbir Sahota Tel 01902 555616 Email ragbir.sahota@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions

2. Application site

- 2.1 The application site comprises a small number of single storey commercial/industrial buildings which are situated off Lower Street, Tettenhall. The units are all vacant and the site is locked up.
- 2.2 The area is characterised with predominantly residential properties comprising houses and flats. Adjacent to the site is an Infants and Junior School which shares the same access to the site. A number of other small commercial operations exist adjacent comprising a music academy and a builder's storage yard.
- 2.3 The access road is narrow and is steep up to the junction with Lower Street. The access is also in close proximity to a junction serving The Rock, Tettenhall Road, Henwood Road and Lower Street which is some 100 metres away.

3. Application Details

- 3.1 The application is for outline planning permission with all matters reserved for demolition of existing industrial buildings and redevelopment of the site for five dwellings.
- 3.2 The application is primarily to renew an existing permission 11/01114/OUT granted 22 September 2011 which expires on 22 September 2014. Application 11/01114/OUT was granted 22 September 2011 however under the changes in procedure, the applicant has to re-apply to renew the permission.

4 Planning History

- 4.1 11/01114/OUT Application for Outline Planning Permission with all matters reserved for demolition of existing industrial buildings and redevelopment of site to provide five dwellings. Granted 22/09/2011.

5. Constraints

- 5.1 Conservation Area
Flood Risk Zone

6. Relevant Policy Documents

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 6.3 Supplementary Planning Guidance Note 3 – Residential Development
- 6.4 A Neighbourhood Plan for the Tettenhall Wards 2014-2026

7. Environmental Impact Assessment Regulations

- 7.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

8. Publicity

- 8.1 Three representations have been received. The concerns relate to the loss of employment and industrial units, access and traffic issues.

9. Internal Consultees

- 9.1 Environmental Health and Transportation – No adverse comments.

10. External Consultees

- 10.1 Environment Agency – No objections subject to appropriate conditions to prevent further pollution to controlled waters.

11. Legal Implications

- 11.1 Planning permissions are granted subject to time limits for implementation, which are set out in a planning condition. This condition will specify that the development must be begun before a certain date. Under s. 91 of the Town and Country Planning Act 1990, there is a default time limit of three years for a full planning permission. Section 92 deals with time limits for outline permissions, where there is a default time limit of three years for submission of reserved matters, and a further two years for implementation following final approval of the last of the reserved matters. The local planning authority has discretion to impose different time limits, if there are good planning reasons for doing so.
- 11.2 An application can be made to renew a planning permission but this is not possible where permission or consent has already expired at the time of application, or where the permission was granted after 1 October 2010. In such cases, a new application will have to be made. KR/11092014/O

12. Appraisal

- 12.1 Although not specifically identified for development within the UDP, the site is situated within a predominantly residential area and the provision of dwellings is considered acceptable in principle.
- 12.2 The site currently comprises a small number of commercial/industrial units which are no longer in use as the applicant has stated that there is no demand for these types of units in this location, the units are of sub-standard construction and problems with deliveries/suppliers accessing the site.
- 12.3 Policy TNP1 'Diverse Local Economy' of the Tettenhall Neighbourhood Plan seeks to support the local economy by retaining employment land and proposals should be resisted unless it can be demonstrated that it is no longer viable. The applicant has stated that in addition to there being no demand in these types of units, there are other material factors which have resulted in the units not being let which include access to the site, the small scale nature of the units and the economic climate.
- 12.4 The applicant has submitted an indicative plan and whilst not for determination, it shows that the site can accommodate five detached properties.
- 12.5 The proposal is considered to be acceptable in respect of transportation as the number of vehicles using the access is considered acceptable as these will be reduced from those of a commercial/industrial site to that of a residential development.
- 12.6 The NPPF introduces a presumption in favour of sustainable development and states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposal would represent sustainable

development, would improve the appearance of this site, provide housing and create jobs through the construction of the development.

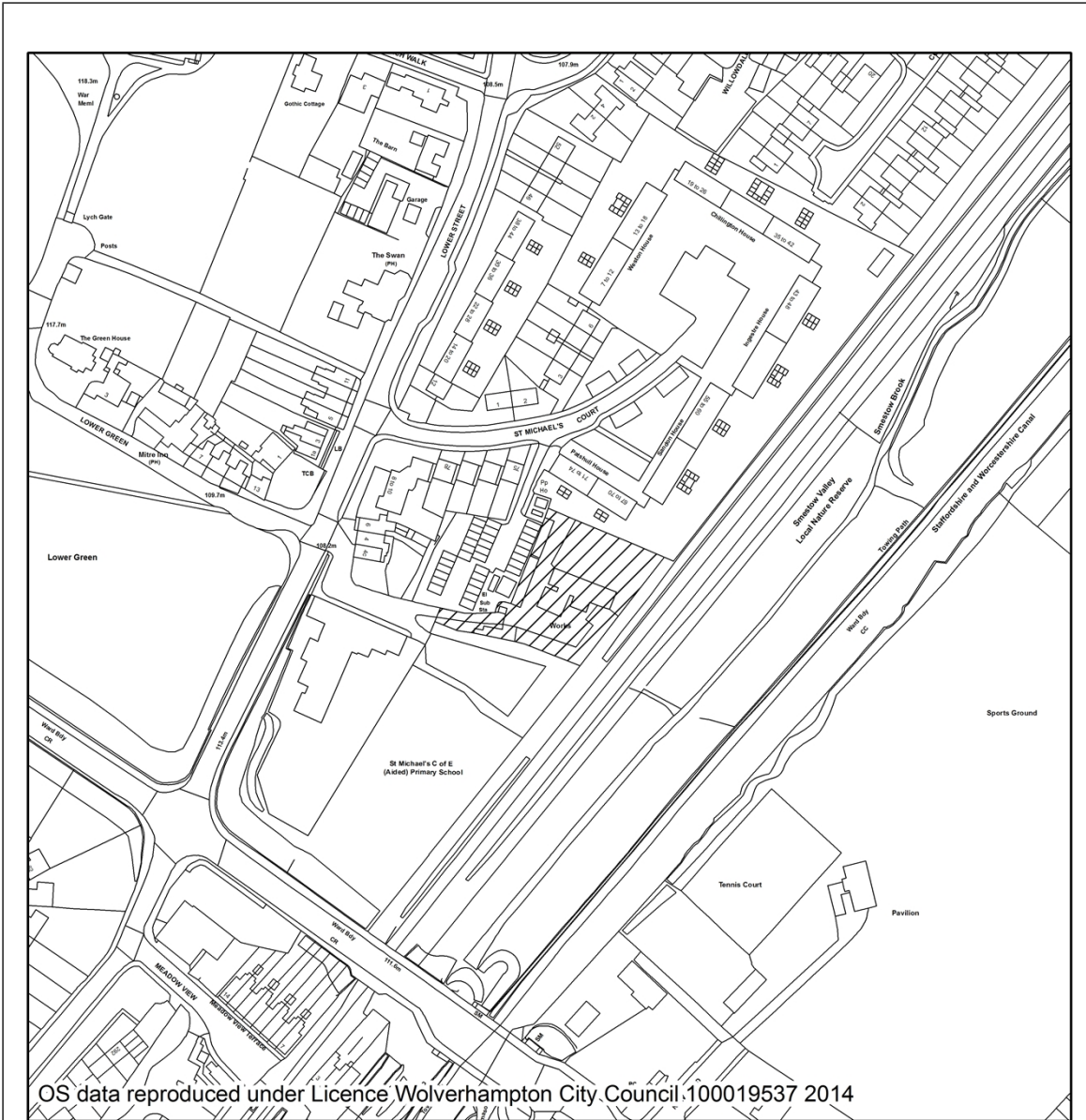
13. Conclusion

13.1 The development is considered acceptable and in accordance with the development plan.

14 Detailed Recommendation

14.1 That planning application 14/00697/OUT be granted, subject to any appropriate conditions including:

- Standard outline conditions
- Landscaping
- Detailed tree survey
- Transportation – access, site turning and parking layout
- Materials
- Bin stores
- Details of surface and foul water
- Flood risk assessment
- Contaminated land
- Construction Management Plan and hours of construction
- Removal of permitted development for extensions



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Planning Committee

23 September 2014

Planning application no.	14/00083/OUT
Site	New Cross Car Park, Wolverhampton Road
Proposal	Outline Application – Construction of a Medium Secure Unit and a block of 14 apartments with all matters reserved except for ‘access’
Ward	Wednesfield South
Applicant	Marantomark Group Ltd
Agent	DWA Architects Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Ragbir Sahota Tel 01902 555616 Email Ragbir.sahota@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to a S106 agreement and conditions.

2. Application Site

- 2.1 The application site is opposite New Cross Hospital and is situated between Wolverhampton Road and the Wyrley and Essington Canal. It is currently used as a “pay-and-display” public car park.
- 2.2 A listed barn used to occupy part of the site but it was demolished following a fire. A former curtilage listed building has been inspected by English Heritage and they consider that the building no longer be listed.
- 2.3 To the east of the site are commercial premises and to the west, a path leading to a footbridge over the canal. On the opposite side of the canal is the Bentley Bridge Leisure Park and a footbridge adjacent the Nickleodeon Pub, which is Grade II listed.

- 2.4 There are numerous protected trees adjacent to the southern, western and northern site boundaries. On part of the boundary with Wolverhampton Road is a low brick wall with decorative railings.

3. Application Details

- 3.1 This is an outline application with all matters (except for access) reserved for subsequent approval. Indicative drawings have been provided which show:

- 3.2 On the western part of the site application is for a three storey building comprising:
- Ground floor – primarily/communal rooms
 - First floor - 12 bedroom medium secure residential unit (Use Class C2A) with 12 bedrooms on the first floor with an internal courtyard
 - Second floor – an additional 16 bedroom for an independent low secure hospital. I

On the eastern part of the site - The 3 storey apartment block (Use Class C3) comprises 14 apartments in a three storey building situated adjacent the medium secure unit. Indicative drawings have been provided for information only and not for determination. The application states that the apartments may be occupied by former residents of the medium secure unit, who can be offered support as the return to the community. However, the application also states that the apartments may be used as “key worker accommodation for the unit and local health authority as required”.

- 3.3 The medium secure residential unit would “provide independent hospital care to people with mental health disorders who require a more secure facility to undergo treatment and rehabilitation”. The low secure hospital facility “will continue this rehabilitation process providing care and treatment where the security is reduced and based more around the therapeutic nature of the care pathway.” The application states that 60 full time equivalent jobs would be created.
- 3.4 The supporting statement goes on to state that “this facility will act as both a step down from the medium secure unit and as an independent provider for service users whom would benefit from its lower level of security. The rehabilitation facilities on site will also provide much needed treatment programme for service users with an acquired brain injury to assist in the progression to resettlement and independent living.”
- 3.5 A block of 14 two bed apartments is proposed over three storeys with two in the roofspace. The application states that the apartments may be occupied by former residents of the medium secure unit, who can be offered support as they return to the community. However, the application also states that the apartments may be used as “key worker accommodation for the unit and local health authority as required”.

4. Planning History

- 4.1 12/01486/FUL –Renewal of temporary planning permission for use as a car park. Granted 25 October 2013.
- 4.2 09/00403/FUL – Use as a car park. Granted 9 December 2009

4.2 06/0599/FP - Residential development. Granted 9 November 2006.

5. 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)

5.3 Supplementary Planning Guidance Note 3 – Residential Development

6. Environmental Impact Assessment Regulations

6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7 Publicity

7.1 A total of ten letters have been received objecting to; loss of car park; increased vehicles on already congested side streets; concern that occupiers may threaten personal safety.

7.2 The application has been advertised following receipt of amended plans and a further six letters of objection have been received. The comments are similar to those previously raised with additional comments relating to impact on highways, boundary treatments, the need for the development and the scale/visual impact of the development.

8. Internal Consultees

8.1 Environmental Health & Transportation – No objection.

9. Legal Implications

9.1 As stated at paragraph 10.7 of this report the NPPF provides a presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. The proposed mixed use development for a secure hospital under Class C2A (Secure Residential Institution) and apartments under C3 (Dwellinghouses). (KR/11092014/B)

10. Appraisal

10.1 Although not specifically identified for development within the UDP, the site is in a sustainable location and so apartments are acceptable in principle.

- 10.2 While not submitted for determination, the illustrative drawings show that a development of this scale could be accommodated on the site.
- 10.3 Some local residents have expressed the fear that residents of the medium secure unit may pose a risk. They cite incidents which have occurred at New Cross Hospital. The applicants state that residents' movements would be restricted and they will not be allowed outside the building without being attended by care staff and/or their visitors/relatives.
- 10.4 Access is included for determination at this stage. The access details shown are acceptable.
- 10.5 There are many protected trees on the site. The illustrative layout demonstrates that the site could be developed however it would propose the significant loss of trees. The actual impact on trees would be determined at the reserved matters stage and further tree planting has been proposed to compensate for the loss of the existing.
- 10.6 The car park is open to the public and is used by visitors to the hospital. However, it is not owned or operated by the Hospital and there is no requirement for it to be made available to Hospital visitors.
- 10.7 The NPPF introduces a presumption in favour of sustainable development and states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposal would represent sustainable development, would improve the appearance of this prominent site, provide a socially necessary facility and create jobs.
- 10.8 In accordance with the development plan, a S106 agreement is required to secure:
- Public open space contribution (for the residents of the apartments)
 - 10% renewable energy (whole development)
 - Targeted recruitment and training
- 10.9 The S106 contribution for public open space contribution equates to £36,967 and is envisaged that this is used to improve Heath Town Park.

11. Conclusion

- 11.1 Whilst the proposal results in the loss of a significant number of mature trees, it is considered that the benefits of bringing the site back into use, job creation and the site overlooking the canal providing security outweighs the loss of the mature trees which are to be compensated with the planting of new trees. Subject to a S106 and conditions as recommended, the development would be acceptable and in accordance with the development plan.

12. Detailed Recommendation

- 12.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 14/00083/OUT subject to:

Completion of a S106 Agreement to secure:

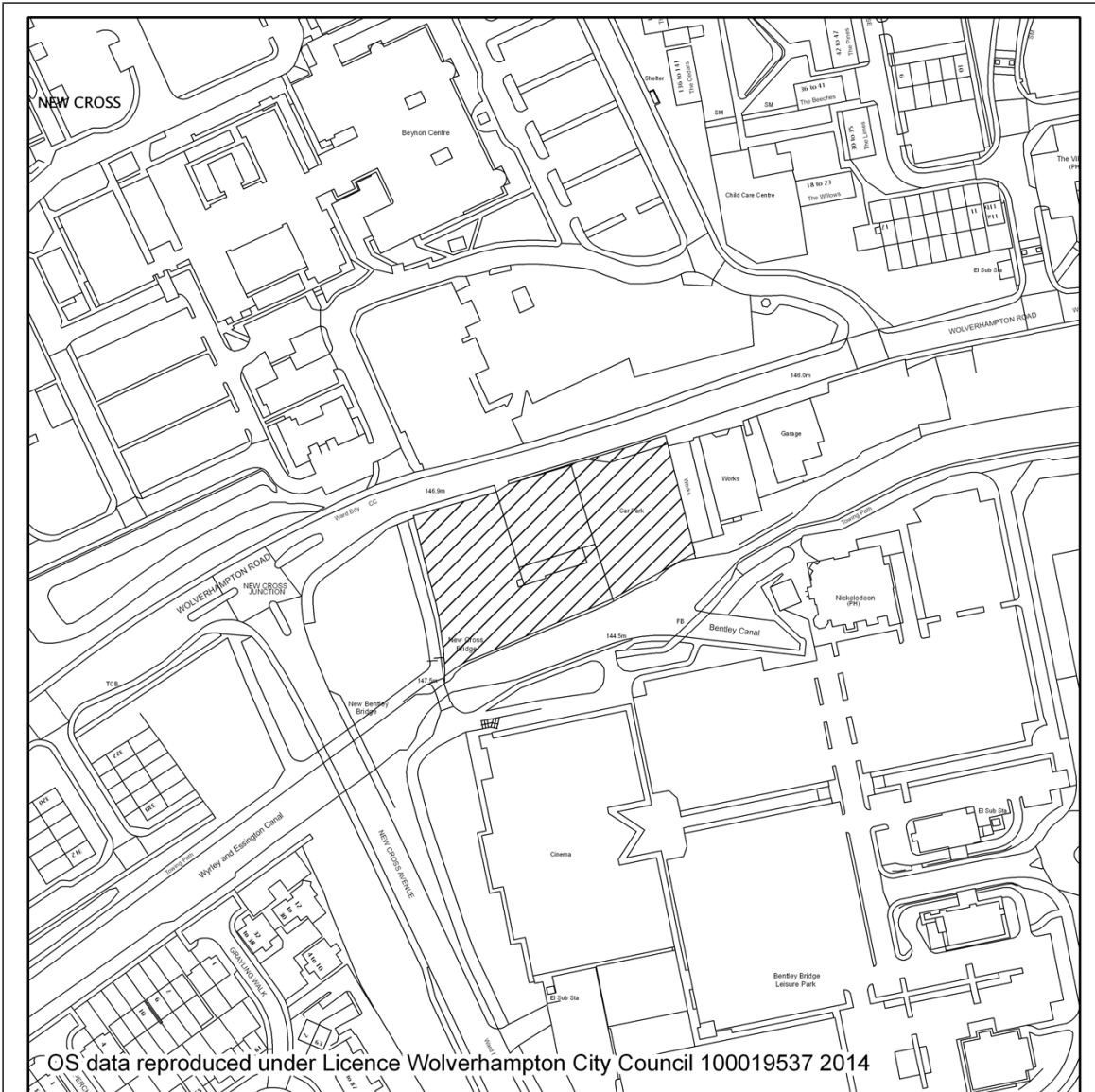
- Public open space contribution (for the residents of the apartments)
- 10% renewable energy (whole development)
- Targeted recruitment and training

Any appropriate conditions including:

- Standard outline conditions
- Drainage
- Levels
- Site waste management plan
- Construction management plan (including hours of construction)
- Landscaping
- Contaminated land remediation
- Control of cooking odour control and ventilation (Medium Secure Unit kitchen only)
- Tree protection measures
- Retention of decorative railings
- Floor plans
- Vehicular pedestrian and visibility splays
- Re-alignment of pedestrian footpath

Notes for Information

Mining Advice Area



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Planning Committee

23 September 2014

Planning application no.	14/00266/FUL
Site	The Lych Gate, Chamberlains Lane, Wolverhampton
Proposal	Demolition of existing detached house and garage for the construction of a new two storey house and garage. (Amended Plans Received)
Ward	Penn
Applicant	Mr A Singh
Agent	Mr Paul Davies, Simms Davies Partnership
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Marcela Quinones Herrera Tel 01902 555607 Email Marcela.QuinonesHerrera@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to conditions.

2. Application site

- 2.1 The Lych Gate is a large detached property sited on a generous plot within the Vicarage Road (Penn) Conservation Area. The plot lies close to the Chamberlains Lane/Vicarage Road junction and behind properties along Vicarage Road. Chamberlains Lane is a narrow road which is rural in character and has a number of spacious plots along its length. The existing house is sited in an elevated position on Chamberlains Lane behind a border of high hedges and mature trees.

3. Application Details

- 3.1 The application proposes to replace the existing house with a new 5 bedroom house and a detached garage.
- 3.2 The proposed dwelling house would be facing onto Chamberlains Lane leaving a front garden area of approximately 10m wide.

- 3.3 The building materials on the elevations are brick at ground floor level; render finished panels and exposed timber at first floor level.
- 3.4 The dwelling house consists of a two storey high central building with two one and a half storey high wings at either side.
- 3.5 The proposed garage is a triple door garage 8.8m long by 7m wide and 5.5m tall. It would be sited at the back of the site.
- 3.6 Vehicular access would be gained through the existing road along the Southern boundary of the site.

4 Planning History

- 4.1 08/01377/FUL - Erection of 1No dwelling. Granted on the 23rd December 2008 under delegated powers.
- 4.2 09/00377/FUL - Erection of two dormer bungalows. Refused on the 30th June 2009.
- 4.3 11/01146/EXT- Planning Application for extension of time of planning permission reference No. 08/01377/FUL - Erection of 1No dwelling. Three years permission granted on the 20th January 2012.

5. Constraints

- 5.1 Conservation Area - Vicarage Rd (Penn) Conservation Area

6. Relevant Policy Documents

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 6.3 Supplementary Planning Guidance No. 3 – Residential Development

7. Environmental Impact Assessment Regulations

- 7.1 This application is considered to be a Schedule 2 project as defined by the above Regulations. The “screening opinion” of the Local Planning Authority is that a formal Environmental Impact Assessment is not required in this instance as the development is unlikely to have a significant effect on the environment as defined by the above Regulations and case law.

8. Publicity

- 8.1 Three letters of objection received which include a request to speak at Planning Committee raising the following planning issues:

- Overbearing impact
- Over looking into property No. 16 Vicarage Road
- Loss of privacy
- Roof height 1m higher than existing building and therefore, loss of light into adjacent properties
- Over dominant feature in a Conservation Area
- Detrimental to the Conservation Area
- The nature, size and height of the proposed triple door garage could be converted into additional living accommodation
- Loss of view
- Not in keeping with surrounding houses

9. Internal Consultees

- 9.1 Conservation: No objections subject to the relevant planning conditions.
- 9.2 Transportation: No objections.
- 9.3 Environmental Health: No objections subject to operational hours during construction condition.

10. External Consultees

- 10.1 Police: No objections.
- 10.2 South Staffordshire Council: No objections.

11. Legal Implications

- 11.1 When an application is situate in or affects the setting of a Conservation Area by virtue of Section 72 and Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under Section 73 of the Act.
(KR/11092014/I)

12. Appraisal

- 12.1 The key issues are:-
- Principle of development
 - Impact on neighbours
 - Effect on the Conservation Area

Principle of development

- 12.2 The site has a valid planning permission for the erection of a new dwelling with a detached garage (11/01146/EXT). This permission will lapse on the 20th January 2015. The approved development consists of a two and a half storey high property to include a

new 5 bedroom dwelling. A triple door detached garage is also part of this valid permission.

- 12.3 Therefore, the principle of residential development and the construction of a new 5 bedroom house and detached garage is already established.

Impact on neighbours:

- 12.4 The footprint and siting of the main building is very similar to the approved scheme. However, significantly lower in height by approximately 3m on the side wings, one of which would be the part of the building closer to properties No. 16, 17 and 18 Vicarage Road.
- 12.5 The application proposes a dwelling with a separation distance of approximately 17m from the rear of property No. 18 Vicarage Road and the proposed rear elevation. This separation distance increases when measuring between the proposed rear elevation and rear of properties 17 and 16 Vicarage Road. This distance is above the 12m set out in the Residential Development SPD, and is therefore acceptable in terms of overbearing impact.
- 12.6 The proposed detached garage would be located on the South East corner of the application site and approximately 31m away from No.16 Vicarage Road rear elevation. The minimum separation distance from No.16 boundary and the proposed garage would be approximately 2.5m. This is considered sufficient and acceptable in terms of loss of light and would not generate an overbearing effect in to property No. 16 by virtue of its location at the bottom of the garden.
- 12.7 There are no windows on the side elevation facing into property No. 18 and therefore no overbearing/privacy issues. To ensure that the level of privacy, sunlight and views of surrounding neighbours are not affected by any future extensions, a condition to remove permitted development rights for extensions, alterations, additional windows and outbuildings would be required.
- 12.8 It is considered that by virtue of the proposed height, subservient design along the wings and a significant separation distance between the proposal and properties No. 16, 17 and 18 Vicarage Road, the proposal is in accordance with the BCCS, UDP policies and SPG 3– Residential Development.

Effect on the Conservation Area:

- 12.9 The design of the building would positively contribute to provide definition and sense of enclosure on the street scene. It would provide a focal point and a break on the bulk and mass when comparing the design of the proposed dwelling house with the approved and existing buildings.
- 12.10 The application would retain the existing driveway and would not affect the hedgerow along the lane which is an important feature of the Conservation Area.
- 12.11 To ensure the character of the Conservation Area is retained a condition to remove permitted development rights for any hard standing area and protection of the hedgerow at the front of the property would be required.

12.12 Therefore, the proposal respects and would help to maintain the character and appearance of the Conservation Area. This is in accordance with the relevant BCCS, UDP policies and SPG3 – Residential Development.

13. Conclusion

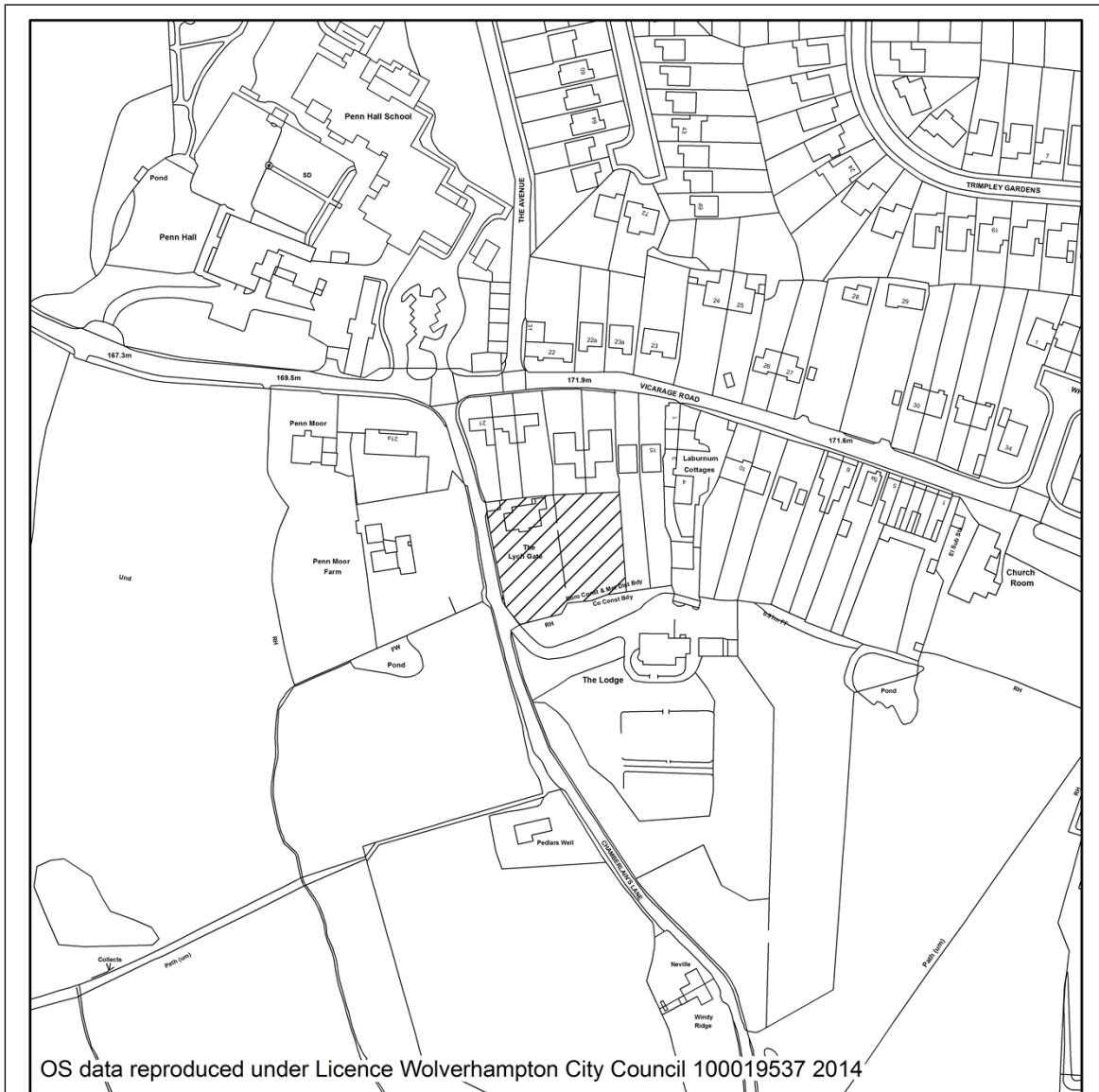
13.1 Subject to the necessary conditions, the proposal would be acceptable and in accordance with the development plan (BCCS and UDP policies).

14 Detailed Recommendation

14.1 That planning application 14/00266/FUL be granted, subject to:

(i) Any necessary conditions to include:

- Removal of PD rights for hard standing areas, boundary treatment along the Chamberlain's Lane frontage, rear extensions, additional windows and outbuildings
- Restrict conversion of garage into separate living accommodation
- Full demolition of existing house and garage prior occupation
- Joinery details
- Landscaping including boundary treatments details
- Materials
- Vehicular access to be retained as approved plan
- Sustainable drainage
- Levels
- Tree root protection measures
- Hours of operation during construction



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Planning Committee

23 September 2014

Planning application no.	14/00726/FUL
Site	Former Christ Church, Church of England Infant School, Leicester Street, Wolverhampton
Proposal	Demolition of former school buildings and redevelopment with 24 dwellings comprising 12 apartments and 12 houses
Ward	St Peters
Applicant	Maythorn Developments Ltd
Agent	Jake Sedgemore, Stoneleigh Architectural Services Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Ragbir Sahota Tel 01902 555616 Email ragbir.sahota@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Delegated authority to grant subject to a S106 agreement and conditions

2. Application site

2.1 The application site is a former school, which closed in 2007. The buildings are flat roofed and single storey. There are a number of trees on site.

2.2 The area is predominantly residential, with terraced and semi-detached houses with on-street parking.

2.3 The properties to the rear in Mostyn Street have long gardens.

3. Application Details

3.1 It is proposed to demolish buildings and redevelop the site with 12 apartments in a three storey building with rooms in the roof space and 12 two storey houses, both terraced and semi-detached.

3.2 At the rear of the apartments would be a communal garden with 14 car parking spaces (including two disabled spaces) beyond that. The houses would have two parking spaces each except for the properties on Leicester Street which have on street parking.

4. 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 Supplementary Planning Guidance Note 3 – Residential Development

5. Environmental Impact Assessment Regulations

5.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

6. Publicity

6.1 Five objections have been received on the following grounds:

- and trees. no demand for this development
- need for schools/ and pressure on other schools
- buildings too high
- inadequate parking
- loss of privacy

7. Internal Consultees

7.1 Environmental Health & Transportation – No objections.

8. External Consultees

8.1 Severn Trent Water – No objections.

9. Legal Implications

9.1 There are no specific legal implications arising from this report.
(KR/11092014/SG)

10. Appraisal

10.1 Although not specifically identified for development within the UDP, the site is situated within a predominantly residential area and the school has been closed since 2007. Residential development is therefore acceptable in principle.

- 10.2 The apartment block fronting Leicester Street would have three floors, with the top floor within the roof space. The houses on the opposite side of the road are approximately a metre higher than the application site and so are of a similar height.
- 10.3 A number of trees will be lost to the development. However they are poor specimens and would be compensated for by new planting.
- 10.4 In accordance with the development plan, a S106 agreement is required to secure:
- Public open space contribution
 - 25% affordable housing
 - 10% renewable energy (whole development)
 - Targeted recruitment and training
 - Management company for communal areas
 - Amendment to parking restrictions
- 10.5 The applicant has requested that these requirements are waived on the basis of financial viability and have submitted a financial viability appraisal for consideration. It would be appropriate and in accordance with local and national policy to reduce S106 requirements commensurate with the lack of financial viability if the development proves not to be viable.

11. Conclusion

- 11.1 Subject to a S106 and conditions as recommended, the development would be acceptable and in accordance with the development plan.

12 Detailed Recommendation

- 12.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 14/00726/FUL subject to:

Completion of a S106 Agreement to secure:

- Affordable housing commensurate with viability – or a financial contribution in lieu of on-site provision.
- Open space/play contribution and renewable energy commensurate with viability.
- Any reduction in affordable housing, open space/play contribution and renewable energy to apply only to those dwellings which are ready for occupation within 3 years of the date that a lack of viability is demonstrated, with the full requirement applying to those dwellings that are not ready by that date.
- Targeted recruitment and training.
- Management company for communal areas
- Amendments to parking restrictions

Any appropriate conditions including:

- Materials

- Landscaping
- Boundary treatments
- Bin stores
- Cycle stores
- Drainage
- Levels
- Construction management plan (including hours of construction)
- Tree protection measures and survey
- Gate details to sub-station
- Removal of street railings and bins

Notes for Information

Mining Advice Area



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Planning Committee

23 September 2014

Planning application no.	14/00705/FUL
Site	Land adjacent to the bungalow, Carlton Road
Proposal	Three storey block of 14 one-bedroom self-contained apartments
Ward	Graiseley
Applicant	HB Community Solutions Living Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Andy Carter Tel 01902 551132 Email andy.carter@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to a S106 agreement.

2. Application site

- 2.1 The application site is 0.19ha in size and located 1.5km south of the city centre. The site is within the Penn Road (Graiseley) Conservation Area. Graiseley Old Hall, a grade II* listed building is approximately 80m from the site.
- 2.2 The site forms part of the Royal Wolverhampton School playing fields. A number of mature trees are within the site and form a boundary line with Carlton Road and the adjacent bungalow.

3. Application Details

- 3.1 A three storey apartment building with 14 supported living apartments, a communal room and staff office is proposed.
- 3.2 Access to 15 parking spaces (with three disabled spaces) would be from Carlton Road, between the proposed building and the adjacent bungalow. A communal garden would be provided at the rear of the building, with mature trees retained.

4. Planning History

- 4.1 08/00571/FUL - 14 apartments refused but allowed at appeal
- 4.2 11/00188/FUL - six semi-detached dwellings - granted.

5. Relevant Policy Documents

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

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 One representation has been received, which objects on the grounds that the building is too large in the context of the street;

8. External Consultees

- 8.1 Sport England - No objection subject to £10,000 compensatory payment to off-set the loss of playing field.

9. Internal Consultees

- 9.1 Transportation & Environmental Health – No objection

10. Legal Implications

- 10.1 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possess.
- 10.2 When an application is situated in or affects the setting of a Conservation Area by virtue of Section 72 and Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under Section 73 of the Act.

(KR/05092014/I)

11. Appraisal

11.1 The key issues are:-

- Loss of playing field
- Impact on the Listed building
- Impact on the Conservation Area
- Design within the street scene
- Impact on neighbouring properties
- Impact on trees
- Section 106 requirements

Loss of playing fields

11.2 The principle of the loss of this part of the playing field, subject to a compensatory payment, has been established through the previous grant of planning permissions. Sport England do not object to its loss, subject to a compensatory payment.

Impact on the Listed building

11.3 The proposed development would not have an impact on the setting of the grade II* Graiseley Old Hall, which is 80m away, separated by substantial boundary walling and mature vegetation

Impact on the Conservation Area

11.4 The site is located at the eastern edge of the Penn Road (Graislely) Conservation Area which includes the Royal Wolverhampton School, the playing fields, the Graiseley Old Hall and a number of surrounding roads. The houses in Carlton Road are outside the conservation area. The site is on the periphery of the conservation area and relates more to Carlton Road than to the rest of the conservation area. Its development as proposed would not therefore be detrimental to the character and appearance of the conservation area

Design within the street scene

11.5 The proposed building would create a sense of enclosure within the street scene, and provide natural surveillance to the end of Carlton Road. The elevation is shown staggered, to introduce depth and visual interest. This approach compliments the three storey apartments immediately opposite the site. The roof line of the building with hipped and low parapets provides further design detail.

Impact on neighbouring properties

11.6 The side elevation of the proposed building would be approximately 16m from the side elevation of the adjacent bungalow. A large garage sits between the bungalow and the application site, which would act as a buffer between the bungalow and the proposed access drive.

11.7 The proposed building would have five windows in to the side elevation facing onto the bungalow. Two of these would be windows to circulation space, the remaining three would be to lounge space within the apartments. The bungalow has two small dormer

windows facing onto the side elevation of the proposed building. The dormer windows are to bedroom space and are approximately 17m from the proposed windows. This is below the 22m required in the Residential Development SPD, however the size of the dormer windows mean that lost privacy will be marginal.

- 11.8 The distance between the bungalow and the proposed three storey apartments will ensure there is minimal loss of light to the bungalow.

Impact on trees

- 11.9 A large sycamore is located on the site boundary will be retained, with some crown reduction.

Section 106 requirements

- 11.10 There is a policy requirement for the following to be secured through a S106 agreement:
- £10,000 compensation for loss of playing field space
 - Targeted recruitment and training

12. Conclusion

- 12.1 Subject to conditions and a S106 as recommended, the proposal would be acceptable and in accordance with the development plan.

13. Detailed Recommendation

- 13.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 14/00705/FUL subject to:

- (i) A S106 agreement for the following (if the development is sufficiently financially viable) :
- Loss of playing field compensation - £10,000
 - Targeted recruitment and training
- (ii) any appropriate conditions including:
- Materials;
 - Window and door details;
 - Bin stores;
 - Landscaping;
 - Boundary treatments;
 - Tree protection measures;
 - Construction Management Plan;
 - Ground Conditions
 - 10% renewable energy
 - Hours of construction;
 - 0800 to 1800 Monday to Friday

PUBLIC
Not Protectively Marked

- 0800 to 1300 Saturday,
- at no time on Sundays or Bank and Public Holidays.



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Planning Committee

23 September 2014

Planning application no.	14/00787/FUL
Site	Land Adjacent To, 110 Wergs Road, Tettenhall
Proposal	Erection of one 4 bedroom dwelling with associated infrastructure and landscape
Ward	Tettenhall Regis
Applicant	Mr & Mrs Patel
Agent	Mr Izeham Che Dan, ID Architects
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Sukwant Grewal Tel 01902 551676 Email sukwant.grewal@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Refuse

2. Application site

- 2.1 The application site located some 4km north-west of Wolverhampton City Centre on the south-west side of the A41 Wergs Road in the attractive residential suburb of Tettenhall with large front gardens and generous gaps between properties providing a spacious environment.
- 2.2 The site comprises the side garden of a sizable 2 storey detached house which is one of a row of large properties set back in generous grounds.

3. Application Details

- 3.1 The proposal is to erect a 4 bedroom detached house with integral garage with a new vehicular access onto Wergs Road.

4 Planning History

- 4.1 C/1355/93 New four bedroomed dwelling house. Refused 14 February 1994 Appeal Dismissed 1 September 1994

5. 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)
- 5.3 Neighbourhood Plan for the Tettenhall Wards 2014-2026
- 5.4 Tettenhall Historic Landscape Character Study (2013)

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

7. Publicity

- 7.1 No comments received

8. Legal Implications

- 8.1 S70 of the Town and Country Planning Act 1990 provides that where a local planning authority is called upon to determine an application for planning permission they may grant the permission, either conditionally or unconditionally or subject to such conditions as they think fit or they may refuse the planning permission. However, this is not without further restriction, as s.70 (2) of the Town and Country Planning Act 1990 requires that the authority shall have regard to the provisions of the development plan so far as material to the planning application, any local finance considerations, so far as material to the application and to any other material considerations. Further, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
(KR/11092014/W)

9. Appraisal

- 9.1 The key issues are:-
- Character, Appearance and Streetscene

- 9.2 The insertion of a dwelling between Nos 108 and 110 Wergs Road would destroy the feeling of spaciousness that currently exists. The development of such a narrow plot would be out of keeping with the character of the area which is primarily one of substantial 2 storey houses set in large grounds with gaps between properties. None of the plots along this section of Wergs Road are as narrow as that proposed by the applicant.
- 9.3 The new house proposed would not reflect the scale and massing of the existing development. The neighbouring dwellings are much more substantial in size and bulk, also have a more spacious setting with gaps between properties. The proposed house would virtually fill the width of the plot with a 2 storey building leaving only relatively narrow passageways on each side.
- 9.4 The proposal is set within a narrow space which would result in a cramped form of development on the site. This would detract from the relatively spacious character of the area.
- 9.5 The Tettenhall Neighbourhood Plan Policy TNP12 Part A states that new development must respect and reinforce the established character of the area by respecting its context, taking into account the spacing between buildings, and being of appropriate height, density, mass and of compatible scale. The implementation of this policy is supported by the Tettenhall Historic Landscape Character Study, which is an evidence base document produced during the creation of the neighbourhood plan. The development guidelines in the Characterisation Study state that “new development should respect the established building line and seek to retain the gaps between buildings that reflect their development as detached, individually designed houses.” It also states that “the positive historic character of the area is largely contributed by the pattern of building large detached houses in spacious green settings. New development would be expected to provide buildings of similar scale within similar surroundings.” Therefore, the proposed development would not be supported as it would result in a cramped and undesirable form of development, and would not be in keeping with the character and established urban form on Wergs Road.
- 9.6 The proposal is contrary to UDP Policies D4, D8, D9 and BCCS Policies ENV2 and ENV3 which seeks to ensure that development responds positively to the existing established pattern of streets and buildings, including plot sizes and spatial character of its surroundings is of appropriate size and massing and provides high quality design which responds to the identity of place.

10. Conclusion

- 10.1 The proposed dwelling would have a harmful effect on the character and appearance of the area located on a plot of insufficient size, resulting in a cramped appearance. This would also detract from the spacious separation between buildings which is a characteristic of the dwellings in this area, detracting from the character and appearance of the surrounding area.

11 Detailed Recommendation

11.1 That planning application 14/00787/FUL be refused for the following reasons

- The development would be out of scale and out of character with neighbouring residential development. As such the proposal would be contrary to the UDP Policies D4, D8, and D9 and BCCS Policies ENV2, ENV3 and the Tettenhall Neighbourhood Plan Policy TNP12 Part A. It would also be contrary to the development guidelines set out in the Tettenhall Historic Landscape Character Study (Chapter 6B).



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