



Planning Committee

24 March 2015

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 3 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

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
Address Democratic Support, Civic Centre, 2nd floor, St Peter's Square,
Wolverhampton WV1 1RL

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Website <http://wolverhampton.moderngov.co.uk>
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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 5 - 12)
[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 1500072 Wrottesley House and 46A Wrottesley Road,
(Pages 13 - 18)
[To determine the application] |
| 6 | Planning application 140129245 Rookery Road (Pages 19 - 24)
[To determine the application] |
| 7 | Planning application 1401167 Land At Inverclyde Drive (Pages 25 - 30)
[To determine the application] |
| 8 | Planning application 1401350 Humphries Crescent (Pages 31 - 34)
[To determine the application] |
| 9 | Planning application 1401390 Pyle Cock Public House, Rookery Street (Pages 35 - 40)
[To determine the application] |
| 10 | Planning application 1200320 Land off Railway Drive, Bilston (Pages 41 - 46)
[To determine the application] |
| 11 | Planning application 1401382 Quality Hotel Tettenhall Road (Pages 47 - 54)
[To determine the application] |
| 12 | Planning application 1401401 Patchbox Public House, Willis Pearson Avenue
(Pages 55 - 58)
[To determine the application] |
| 13 | Planning Application 1401283 Ashmore Public House, Griffiths Drive (Pages 59 - 62) |

[To determine the application]

14 **Planning application 1500115 Oxbarn Members Club, 116 Church Road**
(Pages 63 - 66)

[To determine the application]

15 **Planning application 1500090 Land between 39 and 41 Daley Road** (Pages 67
- 72)

[To determine the application]

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Planning Committee

Minutes - 20 January 2015

Attendance

Councillors

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

Employees

Stephen Alexander	Head of Planning
Andy Carter	Senior Planning Officer
Lisa Delrio	Senior Solicitor
Charlotte Morrison	Section Leader
Marianne Page	Section Leader - Transportation
Ragbir Sahota	Planning Officer
John Wright	Democratic Support Manager
Phillip Walker	Planning Officer
Ann Wheeldon	Planning Officer

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Mrs Thompson

2 Declarations of interest

Councillor Banger declared a non pecuniary interest in agenda item 8 Planning application 14/01312/FUL Villiers Arms Public House, Villiers Square, Bilston as he had assisted the previous owner with the sale of the property

3 Minutes of the previous meeting

Resolved

That the minutes of the meeting held on 18 November 2014 were approved as correct record and signed by the Chair

4 **Matters Arising**

There were no matters arising

5 **Planning Application 14/01099/FUL Woodcroft House, Pennwood Lane Wolverhampton**

Miss Price spoke in opposition to the application.

Mr Gill spoke in support of the application.

Following a request from one of the speakers the Planning Officer informed the Committee of the name of the person who had written in support of the application.

The Committee recognised that that there were issues relating to neighbour disputes which could not be taken in to account when determining the application. They expressed their support for the application.

Resolved

That planning application 14/01099/FUL be granted, subject to any appropriate conditions including:

- Submission of Materials
- Landscaping Details
- Wall and railings to be set back 1500mm as per drawing
- Planting species to be implemented as detailed on drawing
- Large scale drawings of wall and railings

6 **Planning application 14/00358/FUL 49 Yew Tree Lane Wolverhampton**

Mr Roberts spoke in opposition to the application.

Councillors sought reassurance regarding the size of the proposed extension in relation to the size of the plot and the character of the area. They were informed that whilst the extension was large it was within a large garden and respected the character of area.

A Councillor expressed concern that similar extensions had been approved in the area which had been conditioned to prevent windows being put in elevations that over looked neighbouring properties. The windows had been then added at a later date. The Planning Officer stated that a proposed condition prevented the inclusion of windows in the first floor of the north-west side elevation. If any windows were added at a later the Council had enforcement powers which action could consider taking to ensure their removal.

Resolved

That planning application 14/00358/FUL be granted, subject to any appropriate conditions including:

- Removal of permitted development rights for any first floor windows in the north-west side elevation
- Protective tree fencing to be erected

7 Planning application 14/01044/FUL Lounge 107 Public House (former Goalpost), 107 Waterloo Road Wolverhampton

The Planning Officer informed the Committee that since the report had been written a further update regarding highways matters and evidence supporting the long term viability of the premises had been provided.

Mr Jeavons spoke in opposition to the application.

Mr Jones spoke in support of the application.

Councillors expressed their strong opposition to the application agreeing with the conclusions and recommendations of the report. They felt that insufficient evidence had been submitted of attempts to promote use of the pub for other uses. Concerns were raised with respect to highway safety (including pedestrian and public transport). The proposals were felt to be fundamentally wrong due to the loss of the heritage asset and its replacement with something of little architectural merit and the potential impact on amenity due to its close proximity to residential properties. Concern was also expressed that the proposed petrol station would not be staffed. They felt that the site was inappropriate for the use proposed.

Resolved

That planning application 14/01044/FUL be refused for the following reasons:

- The proposals have failed to demonstrate the loss of the community meeting place meets the requirements of adopted UDP Policy C3. Relevant UDP Policy C3.
- The proposals would result in the loss of this attractive corner building and its replacement with something which, by comparison, would detract from the present established character of the vicinity. Relevant UDP Policies D4, D5, D6, D7, D8, D9, HE1 and BCCS Policies CSP4, ENV2 and ENV3.
- The proposals would appear obtrusive and harmful to the special character of the streetscene. The scale, appearance and positions of the replacement buildings would bear no relation or any design rationale gained from an analysis of existing characteristics of the surrounding area. Relevant UDP Policies D4, D5, D6, D7, D8, D9, HE1 and BCCS Policies CSP4, ENV2 and ENV3.
- Insufficient evidence supporting the unmanned 24 hour operation of this site and the likely impacts on amenity, in particular from patrons and their passengers during unsociable hours, has been submitted. Therefore, an informed assessment of all material matters concerning nuisance and disturbance cannot be made. Relevant UDP Policies EP1 and EP5.

- The proposals would lead to queuing vehicles on Waterloo Road, causing congestion problems within the locality, and the proposals would affect the safe free flow of traffic, particularly at peak times and Wolverhampton Wanderer FC match days. This would be to the detriment of pedestrian and highway safety. Relevant UDP Policies AM4, AM8 and AM15 and BCCS Policy TRAN1

8 **Planning application 14/01312/FUL Villiers Arms Public House, Villiers Square, Bilston**

Having declared an interest Councillor Banger left the meeting and took no part in the consideration of the application.

Councillors expressed support for the proposed redevelopment of the former public house.

Resolved

That the Strategic Director Place be given delegated authority to grant planning application 14/00828/OUT subject to:

1. Completion of a S106 Agreement to secure:
 - Affordable housing
 - Public open space contribution - £30,960 to improve Prouds Lane Park
 - 10% renewable energy
 - Targeted recruitment and training
2. Any appropriate conditions including:
 - Means of demolition and details of reinstatement
 - Drainage
 - Levels
 - Construction management plan (including hours of construction)
 - Landscaping
 - Boundary treatments
 - Materials
 - Parking areas to be provided
 - Remove permitted development rights for first floor windows

Notes for Information:

- Coal Mining Advice

9 **Planning application 14/01161/FUL Bushbury Arms Public House Showell Circus Wolverhampton**

The Planning Officer informed the Committee that the applicant had provided evidence that the proposed contribution of £161,428 for off-site open space would not be financial viable. Instead the applicant had offered £38,000 for off site play facilities. This was felt to be acceptable and consequently the recommendation would be revised. The Committee was also advised that an additional condition was

proposed requiring the conversion of the pub to be completed before 50% of houses were occupied.

Councillors expressed their support for the application

Resolved

That the Strategic Director Place be given delegated authority to grant planning application 14/01161/FUL subject to:

1. A S106 agreement for the following :
 - £38,000 for off site play facilities at Fowlers Park .
 - 25% affordable housing
 - Targeted recruitment and training

2. Any appropriate conditions including:
 - Materials;
 - Landscaping;
 - Tree protection measures;
 - Construction Management Plan;
 - Drainage
 - Site Investigation
 - 10% renewable energy
 - Conversion of the pub to be completed before 50% of houses were occupied
 - Hours of construction Monday to Friday 0800 to 1800, Saturday 0800 to 1300 and at no time on Sundays or Bank and Public Holidays.

10 **Planning application 14/01286/FUL MS UK Ltd, Swarn House, Meadow Lane Wolverhampton**

Ms Stevens spoke in opposition to the application.

Mr Sedgemore spoke in support of the application.

Councillors expressed concerns about the continued industrial use of the site and lighting of the car park. The Committee was informed that the car park was well lit and that there would be adequate parking spaces on site. The Committee was advised that proposed uses and the continued industrial use were felt to be compatible.

Resolved

That planning application 14/01286/FUL be granted, subject to any appropriate conditions including:

- Matching materials
- Swept path analysis
- Cycle parking
- Details of internal layout showing construction of walls/ceilings
- Acoustic insulation/attenuation schemes

- Acoustic glazing/ventilation
- Hours of opening 08.00 – 20.00 hours Monday to Sunday
- Restrict use to gymnasium, hot yoga and recording studio only

11 Planning application 14/01291/FUL 229-331 Penn Road Wolverhampton

The Planning Officer informed the Committee that an additional letter of objection had been received which referred to a previous application on the site which had been refused permission in 1989. The Committee was informed that the windows on south facing elevation would be 21 metres away from the neighbouring property and therefore a condition was proposed that they be will fixed opening and obscurely glazed condition The financial viability of the development had been assessed and while not fully viable the developer had indicated that they would agree to pay £139,137 towards off-site affordable housing provision.

Resolved

That the Strategic Director Place be given delegated authority to grant planning application 14/01291/FUL subject to:

1. A Section 106 planning obligation for £139,137.00 towards off-site affordable housing provision in Wolverhampton
2. Any appropriate conditions including:
 - Management company
 - Targeted recruitment and training
 - Materials;
 - Landscaping;
 - Tree protection measures;
 - Demolition and construction management plan;
 - Drainage
 - 10% renewable energy
 - Hours of construction to be between 0800 to 1800 Monday to Friday; 0800 to 1300 Saturday and at no time on Sundays or Bank and Public Holidays
 - Site waste management plan
 - Boundary treatments
 - Provision and retention of car parking
 - Existing and proposed finished floor levels
 - Cycle/motorcycle parking
 - Bin stores
 - Fixed opening and obscure glazing for upper floor north facing landing windows
 - Bat and bird protection measures
 - Levels

12 Planning Application 14/01300/FUL 1 Red Lion Street Wolverhampton

The Planning Officer informed the Committee that Environmental Health had confirmed that the decking area complies with legislation relating to smoking areas.

Resolved

That planning application 14/01300/FUL be granted, subject to any appropriate conditions including:

- Submission of decking materials
- Hours of opening

13 **Application 14/01309/TR Adjacent 8 Surrey Drive Wolverhampton**

The Planning Officer informed the Committee of an error in the report. The Committee was informed that 10 letters of support had been submitted with the application. A further two letters supporting the felling of the tree had subsequently been submitted. No letters objecting to the application had been submitted.

Cllr Collingswood spoke in support of the application.

Councillors expressed concern that the applicants had not submitted a professional tree report to support the application. Councillors felt that consideration of the application should be deferred to enable this to be submitted. The Committee recognised that the health of the tree was not in dispute

Resolved

That consideration of the application be deferred to enable the applicants to submit a tree report.

14 **Application 14/00010/TPO Land rear of 15 Tinacre Hill Wolverhampton**

Resolved

That the Wolverhampton City Council (Land to the rear of 15 Tinacre Hill No 2) Tree Preservation Order 2014 be confirmed

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Planning Committee

24 March 2015

Planning application no.	15/00072/FUL
Site	Wrottesley House and 46A Wrottesley Road, Wolverhampton
Proposal	Single storey rear extensions and two storey link extension between Wrottesley House and 46A Wrottesley Road. Change of use of 46A Wrottesley Road to a care home for the elderly.
Ward	Tettenhall Regis
Applicant	Wrottesley House Limited
Agent	John Thorne, Thorne Architecture Limited
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Phillip Walker Tel 01902 555632 Email phillip.walker@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Refuse

2. Application site

2.1 The application site is within a residential area. Wrottesley House is a large detached building used as a care home for the elderly since the 1980s, with a landscaped frontage, nine parking spaces and single storey extensions to the rear. There are 17 bedrooms. 46A Wrottesley Road is a detached four bedroomed house with integral garage and front driveway.

3. Application Details

3.1 The application proposes to erect a two storey flat roof extension to link Wrottesley House with 46A Wrottesley Road. There would also be alterations to the internal layout of both of the buildings and single storey rear extensions. The use of 46A Wrottesley Road would be changed to a residential care home for the elderly. The extended care home would provide an additional 13 bedrooms. The total number of bedrooms would be 30. There would be 12 off-road car parking spaces.

4 Planning History

- 4.1 14/01256/FUL. Single storey rear extensions and two storey link extension between Wrottesley House and 46A Wrottesley Road. Change of use of 46A Wrottesley Road to a care home for the elderly. Refused on the grounds of inappropriate design 08.01.2015.
- 4.2 07/00035/FUL. Front and rear extension. Granted 24.04.2007
- 4.3 C/1303/92. Extension and alterations to extend existing accommodation. Granted 15.02.1993.
- 4.4 C/1878/89. Extensions to elderly peoples home. Granted 18.12.1989.
- 4.5 C/0754/88. Alteration to first floor bedroom to form single bedroom and recreational room, two added windows. Granted 08.06.1988.
- 4.6 C/0756/88. Alterations to form additional bedrooms and bathroom from garage conversion (residential home). Granted 08.06.1988.
- 4.7 A/C/1190/85. Change of use to care home for the elderly. Granted 06.08.1985.

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 Other relevant policy documents:
Tettenhall Neighbourhood Plan
Tettenhall Historic Landscape Character Study

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 33 objections received. Comments are summarised as follows:
 - Similar to previous application (14/01256/FUL) recently refused
 - Overdevelopment
 - Unacceptable change of use to commercial
 - Need for large family homes
 - Unacceptable access and parking, leading to traffic congestion
 - Detrimental to highway safety

- Poor design / out of scale and character with surrounding housing / Detrimental to nearby Conservation Area
- Detrimental to neighbour amenity; disturbance, loss of outlook, noise, loss of privacy, overshadowing and pollution
- Undesirable precedent for allowing other similar schemes
- Views of the local community not sought
- Likely to cause drainage problems
- Removal of trees
- Contrary to Development Plan policies

8. Internal Consultees

8.1 Transportation – No objections.

8.2 Environmental Health – No objection subject to conditions limiting hours during construction, refuse storage, external lighting and ventilation equipment.

9. Legal Implications

9.1 There are no direct legal implications arising from this report. [LD/10032015/A.]

10. Appraisal

10.1 The key issues to be considered when determining this application are:

- Proposed Use
- Design
- Neighbour Amenity
- Access and Parking

Proposed Use

10.2 The site is not allocated for a specific use in the UDP. However, it is located in a residential area and has good daytime access to bus services, local facilities and services. The principle of extending the existing care home and changing the use of 46A Wrottesley Road to a residential care home is therefore acceptable.

Design

10.3 Wrottesley Road is a street of very large mainly detached dwellings. The road is broad and gently curving and thickly timbered along parts of the frontages, which creates 'pinchpoints' in the views along the road, creating more intimate areas. The larger houses are set well back in their plots, with large rear gardens and gaps between them. Houses are characterised by green front gardens, some of which are enclosed with hedgerows, reflecting the agricultural past of the area. The set-back of houses reduces the active quality of the street scene, increasing the sense of tranquillity and space.

10.4 The design of the proposed development does not respond positively to the established pattern of Wrottesley Road and buildings, including plot size, spatial character and building lines. The spacious character of the road which contributes so much to the quality of the surrounding environment is not respected. The extended buildings and substantial car park forecourt would relate poorly to the spaces around them constituting

overdevelopment and a cramped layout which would appear obtrusive in relation to adjoining properties and detracting from the spaciousness and character of the established residential gardens.

Neighbour Amenity

- 10.5 The extensions have been designed to avoid undue harm to neighbours' amenity, in regards to light, outlook, privacy and overbearing impact. However, the design, layout and intensification of the use of the buildings would likely lead to general disturbance from residents, staff, visitors and traffic movements which would be detrimental to the amenities of adjoining residential occupiers.

Access and Parking

- 10.6 Transportation Officers have confirmed that there would be sufficient on-site parking.

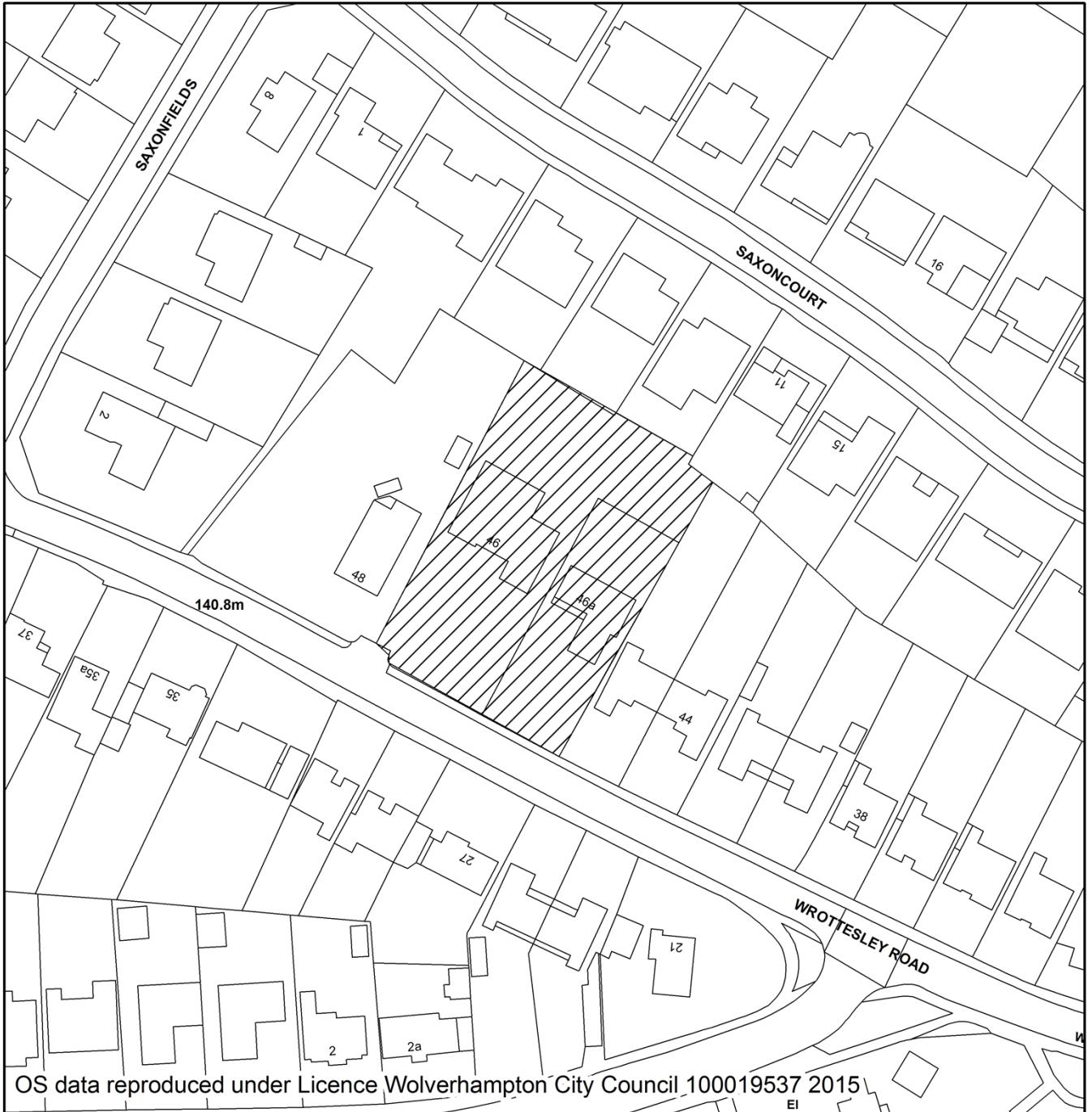
11. Conclusion

- 11.1 The proposed incorporation of 46A Wrotesley Road into the care home is acceptable and the number of parking spaces would be acceptable. However, the design, layout and intensification of the use of the buildings would be unacceptable and would not be in keeping with the character and appearance of the area and detrimental to the amenities of surrounding occupiers, contrary to Development Plan policies.

12. Detailed Recommendation

- 12.1 That planning application 15/00072/FUL be refused for the following reasons:

1. The design of the proposed development does not respond positively to the established pattern of Wrotesley Road and buildings, including plot size, spatial character and building lines. The spacious character of the road which contributes to the quality of the surrounding environment is not respected. The extended buildings and substantial car park forecourt would relate poorly to the spaces around them constituting overdevelopment and a cramped layout which would appear obtrusive in relation to adjoining properties and detracting from the spaciousness and character of the established residential gardens. The proposed development is therefore contrary to UDP policies D4 "Urban Grain", D5 "Public Realm", D6 "Townscape and Landscape", D7 "Scale - Height", D8 "Scale – Massing", D9 "Appearance" and H12 "Residential Care Homes"; BCCS policies CSP4 "Place-Making", ENV2 "Historic Character and Local Distinctiveness", ENV3 "Design Quality". Tettenhall Neighbourhood Plan Policy 12 Part A "New Development to Respect Existing Character" and Historic Landscape Character Study 2013 "Chapter 6B: Tettenhall Wood North and the Wergs".
2. The design, layout and intensification of the use of the buildings would likely lead to general disturbance from residents, staff, visitors and traffic movements which would be detrimental to the amenities of adjoining residential occupiers. The proposals are contrary to UDP policies H12 'Residential Care Homes' and H6 'Design of Housing Development', EP4 'Light Pollution' and 'Noise Pollution' and BCCS policy CSP4 "Place-Making".



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Planning Committee

24 March 2015

Planning application no.	14/01292/OUT
Site	45 Rookery Road and land to the rear
Proposal	Outline application for a maximum of 16 dwellings (all matters reserved apart from access)
Ward	Spring Vale
Applicant	Mr M Howell
Agent	Mr J Sedgemore
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Phillip Walker Tel 01902 555632 Email phillip.walker@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to the signing of a Section 106 agreement and conditions.

2. Application site

- 2.1 The application comprises 45 Rookery Road and an area of undeveloped land to the rear of 29 to 45. It slopes upwards from east to west. At the highest point there is an electricity pylon with its lines extending easterly across the site.
- 2.2 Access is from Bayliss Avenue, a narrow residential cul-de-sac off Rookery Road.
- 2.3 There is a larger open space to the south of the site which had outline planning permission for a care home but that has now expired.

3. Application Details

- 3.1 Outline planning permission is sought for a maximum of 16 dwellings with all matters reserved apart from access. To facilitate access Bayliss Avenue would be widened, utilising land to the side of 45 Rookery Road, to provide 1800mm wide pavements and a 5500mm wide highway. A new road would then extend from Bayliss Avenue into the site.

4 Planning History

- 4.1 13/00421/OUT. Outline application for residential development with all matters reserved apart from access. Refused because of highway safety concerns and the appeal dismissed. However, the Planning Inspector stated that there would be no detriment to highway safety. The appeal was dismissed because a S106 had not been completed.

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 SPG3 '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 Four letters of objection and a petition of objection containing nineteen signatures. Comments summarised as follows:
- Increased traffic and adverse impact on highway safety
 - land not suitable for development - mine shafts drainage problems electricity pylons
 - Loss of privacy / light / security
 - Increased noise disturbance
 - Detrimental impact on the environment

8. Internal Consultees

- 8.1 Transportation – no objection
- 8.2 Environmental Services – No objection subject to conditions for a construction management plan and a site investigation for contaminated land.

9. External Consultees

- 9.1 Coal Authority – No objection subject to a condition requiring a site investigation to establish any mining legacy issues and if necessary remediation measures.
- 9.2 Severn Trent Water – No objection subject to a condition requiring drainage details.

10. Legal Implications

- 10.1 Planning obligations must comply with the following tests namely they must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development. (LD/09032015/A)

11. Appraisal

- 11.1 This application is identical to application 13/00421/OUT which was refused because of concerns about additional traffic movements and a detrimental impact upon highway safety and the appeal was dismissed. However, the Planning Inspector stated that he found there to be no compelling reasons to conclude that development of the site, resulting in additional traffic movements in Bayliss Avenue and through its junction with Rookery Road, would compromise highway safety. The appeal was dismissed because a s106 agreement had not been submitted and therefore the proposals were not in accordance with the policies of the development plan.
- 11.2 In accordance with adopted planning policy the following are required:
25% affordable housing (15+ dwellings)
10% on site renewable energy generation (10+ dwellings)
Off-site open space and play contribution (10+ dwellings, maximum £126,746)
Targeted recruitment and training
- 11.3 Following the dismissal of the appeal, the applicants have demonstrated that the development would not be sufficiently financially viable on the basis of a scheme of a maximum 16 dwellings to provide affordable housing, open space / play contribution 10% renewable energy. The NPPF says that planning obligations should not threaten development viability. Therefore it is recommended that the requirement for those S106 obligations should be waived, on a pro-rata basis for any dwellings that are ready for occupation within three years of the date that non-viability was confirmed (24 February 2015), with the full requirement applying to those that are not ready for occupation by that date.

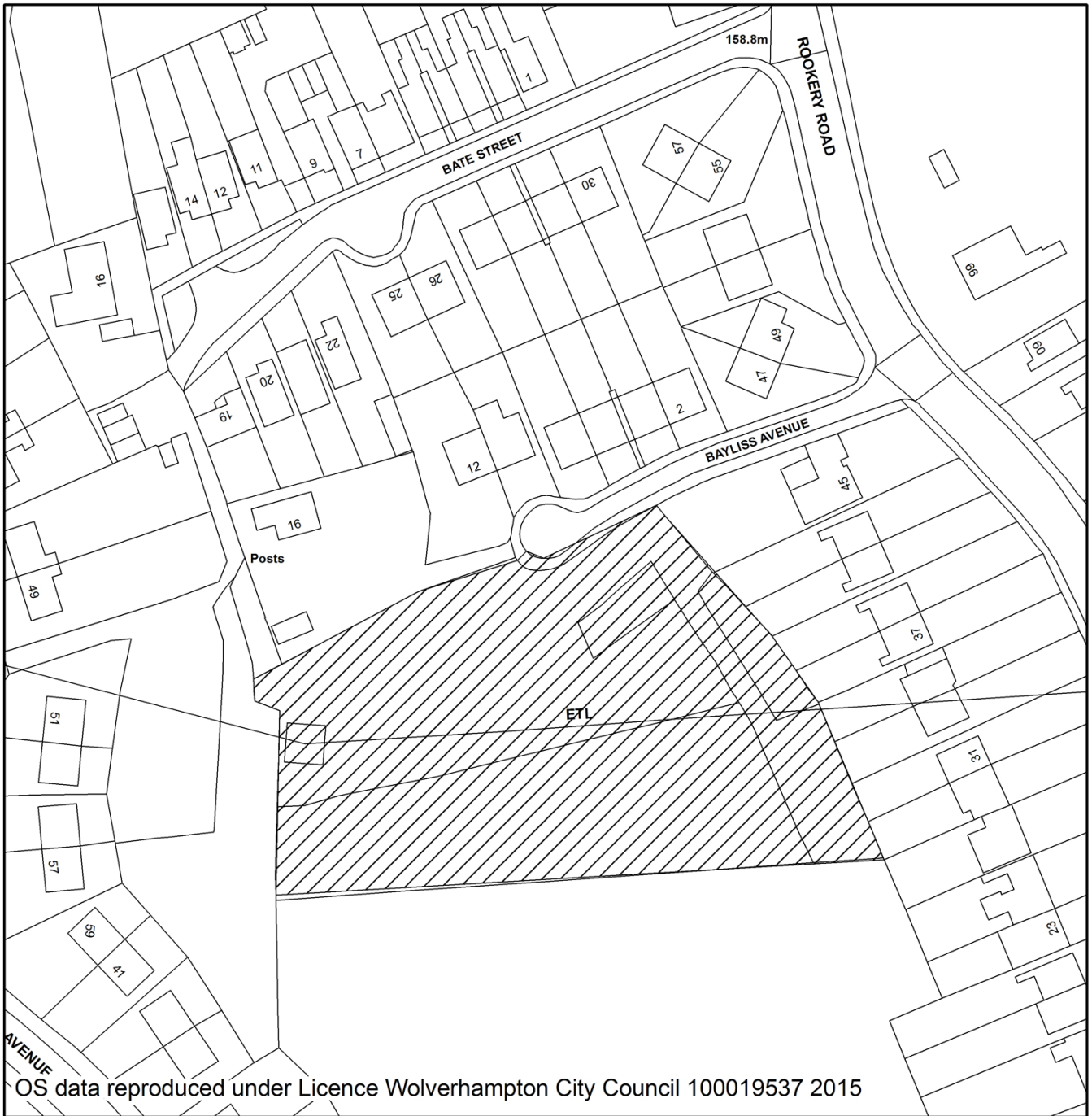
12. Conclusion

- 12.1 The development is acceptable and in accordance with the development plan, subject to completion of a S106 agreement and conditions as recommended.

13. Detailed Recommendation

- 13.1 That the Strategic Director Place be given delegated authority to grant planning application 14/01292/OUT subject to:
1. Completion of a Section 106 Agreement to include
 - Targeted recruitment and training
 - A management company to carry out management and maintenance of communal areas

- Affordable housing, public open space/play contribution (BCIS indexed), 10% renewable energy on a pro-rata basis for each dwelling that is not ready for occupation on 24 February 2018.
 - Highway works to widen Bayliss Avenue at its junction with Rookery Road
2. Any necessary conditions to include:
- Standard outline conditions
 - Levels
 - Land contamination
 - Drainage
 - Mining Investigation
 - Resource and waste management plan
 - Measures to mitigate impact on neighbours
 - Floor Plans
 - Number of dwellings to be in accordance with approved reserved matters and floor plans
 - Implementation of landscaping
 - 16 to be the maximum number of dwellings



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Planning Committee

24 March 2015

Planning application no.	14/01167/FUL
Site	Land At Inverclyde Drive WV4 6FB
Proposal	Proposed change of use to steel stockholders (use class B8) with ancillary steel cutting.
Ward	Spring Vale
Applicant	Midland Bright Steels Ltd
Agent	Tweedale Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
Planning officer	Name Jenny Davies Tel 01902 555608 Email Jenny.davies@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions

2. Application site

2.1 The application site is located approximately 4 km to the south of the City Centre. The site comprises a light industrial unit which was constructed last year but has not yet been occupied.

2.2 To the north-west is a housing development; to the north-east Taylor Road Open Space; to the south-west Fortress Interlocks a B1 industrial unit and the land is vacant to the south-east.

3. Application Details

3.1 The application is for a change of use from B1 to B8 (storage and distribution). The primary use is the storing of high grade steel bars in bulk and this accounts for 80% of the use. Approximately 10% of the stock will be cut to size by a band saw and circular saw.

- 3.2 The development would provide 29 parking spaces for 13 staff and visitors. The company receives deliveries from steel suppliers up to twice a week. The company distributes the steel goods on a 3.5 and 7.5 tonne vehicle with an average of four arrivals and departures a day.
- 3.3 The company would be expanding and relocating from an existing site in Tipton. It currently employs eight full time staff with a possibility of employing an additional five.

4 Planning History

- 4.1 03/0156/OP/M – Outline: Private housing, very sheltered housing, B1, B2, B8 use, open space, open space and infrastructure. Granted 05.10.2004
- 4.2 04/2069/RM – Layout and design, access roads and landscaping. Granted 29.04.2005
- 4.3 10/00806/FUL – Development to provide 4 units for B1 use. Granted 10.11.2010
- 4.4 13/00451/RC – Variation of condition 2 (revised parking layout and provide 2 units for B1 use) and removal of condition 17 (no single unit shall occupy more than 50% of the total floorspace). Granted 20.06.2013

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 5.3 Other relevant policy documents:

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 Thirty three letters of objection and one letter of support have been received.
- 7.2 Only three of the 33 letters have included an address. The objections on planning grounds are summarised below:-
- Noise disturbance
 - Increase in traffic
 - Danger to pedestrian safety
 - Inappropriate site for proposed development

- Contrary to development plan

7.3 The letter of support (which has no address) states that employment generating uses should be supported and this site was always identified as commercial.

7.4 Councillor Malcolm Gwinnett has requested to speak to Planning Committee against the application and the agent has requested to speak in support.

8. Internal Consultees

8.1 Environmental Health – No objection subject to conditions for an acoustic insulation scheme, hours of operation, plant and machinery details, decibel level, no outside storage or handling of goods and no external flues or vents

8.2 Transportation – no objections

9. Legal Implications

9.1 There are no legal implications arising from this report (LD/09032015/B)

10. Appraisal

10.1 The proposal is consistent with UDP policy H4 - Housing allocations – MU4 Former GKN Site. Outline planning permission for mixed use development was granted under planning application 03/0156/OP/M dated 5 October 2004. Under this permission the site allocation for this plot was B1 and a building was constructed last year. The proposed change of use to B8 is appropriate if it can be demonstrated that there would be no adverse effect on neighbours.

10.2 The nearest residential properties are 26 metres from the north side elevation of the building.

10.3 There are potential noise sources from the proposed change of use to B8 which could give rise to nuisance to residents however the information submitted by the applicant and officers investigations have determined that there is no evidence to show that the predicted noise levels will have an adverse effect on residents subject to mitigation measures which can be secured through conditions.

10.4 The traffic movements associated with the proposal are limited and would not result in disturbance to residents or unacceptable noise levels.

10.5 Subject to conditions for an acoustic insulation scheme, hours of operation, plant and machinery details, no outside storage or handling of goods, decibel level, no external flues or vents the proposal is acceptable and would accord with UDP policy EP5

11. Conclusion

11.1 The development is acceptable and in accordance with the development plan subject to conditions as recommended.

12. Detailed Recommendation

12.1 That planning application 14/01167/FUL be granted, subject to any appropriate conditions including:

- acoustic insulation scheme
- no outside storage or handling of goods
- restrict decibel level
- hours of operation
- use is restricted to steel stockholders with ancillary cutting
- external lighting
- no external flues or vents
- details of plant and machinery



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Planning Committee

24 March 2015

Planning application no.	14/01350/FUL
Site	Garage Site Between 4 and 10 Humphries Crescent, Wolverhampton
Proposal	Full Application – Provision of 24 garages (garages to comprise shipping containers)
Ward	Bilston East
Applicant	Mr R Singer
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable Director	Nick Edwards, Service Director, City Assets
Planning officer	Name Andrew Johnson Tel 01902 551123 Email andrewk.johnson@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions.

2. Application site

2.1 The application site is a former council owned garage court accessed off Humphries Crescent.

3. Application Details

3.1 The application proposes the repair/reinstatement of the existing nine dilapidated garages on the site and install 24 new garages. The new garages will comprise shipping containers. The proposals will continue the use of the site as a garage court.

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)

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 12 letters of objection have been received, including an objection letter from Councillor Val Gibson and Councillor Simkins. Reasons for objection include impact on amenity, loss of privacy, out of character, fear of crime/anti-social behaviour, impact on ecology, no perceived demand and highway safety.

7. Consultees

- 7.1 Coal Authority, Ecology, Transportation and Environmental Health – No objections.
7.2 Police – No objection. Security improvements recommended.

8. Legal Implications

- 8.1 The National Planning Policy Framework states that in assessing and determining planning applications, local planning authorities should apply a presumption in favour of sustainable development. Legal implications reference LM/02032015/W

9. Appraisal

- 9.1 The application site is a garage court located off Humphries Crescent. The site is currently not secured and in a very poor condition.
- 9.2 There would be no material changes of use. The continued use of the site as a garage court would not be unduly harmful to highway safety or amenity.
- 9.3 Whilst much of the site cannot be directly viewed from the public realm, it is currently in a very poor condition and detracts from the character of the locality. The applicant is proposing to enhance the appearance of this site, including a landscaping scheme. The landscaping scheme would provide visual relief to the streetscene whilst also screening the site. On balance, the positive measures to improve the appearance of the site would ensure that the use of shipping containers would not be harmful to visual amenity.
- 9.4 The applicant has received advice from the Police and the proposals have been designed to significantly improve the security of the site, including high quality security fencing and CCTV. The proposals would also introduce activity and surveillance back into an area that is currently affected by anti-social behaviour and crime, likely, in part, due to a lack of decent security measures (including effective boundary treatment) and passive surveillance.

9.5 The site is located adjacent to a Site of Local Importance for Nature Conservation. However, due to the minor scale of the works, it is unlikely there would be any harmful effects on any adjacent wildlife.

10. Conclusion

10.1 Subject to conditions as recommended, the development would be acceptable and in accordance with the development plan.

11. Detailed Recommendation

11.1 That planning application 14/01350/FUL be granted, subject to any appropriate conditions including:

- Garage court use
- No vertical stacking of containers (single storey only)
- Landscaping
- Boundary treatments
- Materials
- Security measures

Notes for Information:

- Coal Mining Advice



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Planning Committee

24 March 2015

Planning application no.	14/01390/FUL
Site	The Pyle Cock Public House, Rookery Street
Proposal	Change of use of public house to a Day Nursery, demolition of rear building and proposed two storey side and rear extensions
Ward	Wednesfield South
Applicant	Mrs Soniadeep Sidhu
Agent	Mr Matthew Greavey, Union Architecture
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Service director	Nick Edwards, City Assets
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 is the Pyle Cock Public House with car parking to the rear accessed off Rookery Street and Church Street, Wednesfield. The building is locally listed and within the Wednesfield Conservation Area.

2.2 The public house appears to have been altered over the years with a number of extensions and alterations, however is now in a poor state of repair.

2.3 The public house is within the Wednesfield Village Centre as defined within the Councils Unitary Development Plan (UDP) and falls outside of the primary shopping area.

3. Application Details

3.1 The application proposes to change the use of the public house to a day nursery, with demolition of the rear building and with proposed two storey side and rear extensions.

4. Constraints

- 4.1 Conservation Area
Locally listed building
Mining advice area
Wednesfield Village Centre

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 (SPG) Day Nurseries

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 The application proposal has been advertised by neighbour letters, site and press notices. A total of eight letters of objection have been received. The main reasons for objecting are: the loss of the car park for public use and inadequate car parking provision for the day nursery, loss of adjacent business due to loss of parking/servicing/delivery provision, access and traffic issues, safety of children of the proposed use as a result of the canal/anti-social behaviour issues and adequate number of nurseries exist in the locality,.
- 7.2 One letter of support has been received as the proposal supports the local economy and provides a service for parents.

8. Internal Consultees

- 8.1 Transportation – no major issues.

9. Legal Implications

- 9.1 When an application is situated in or affects the setting of a Conservation Area, 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.

- 9.2 The National Planning Policy Framework provides that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- (LD/09032015/A)

10. Appraisal

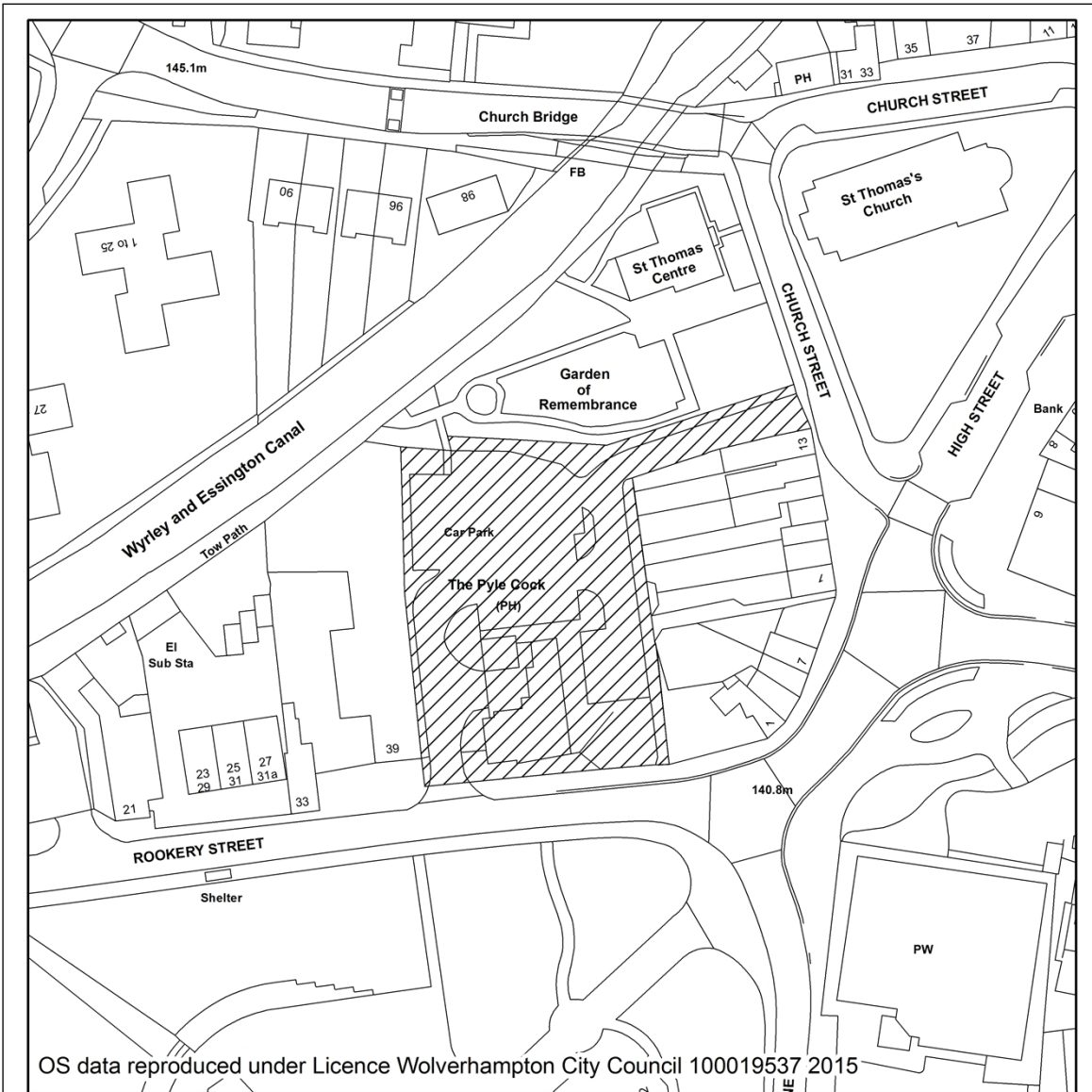
- 10.1 The application site is within the Wednesfield Village Centre as identified within the Councils Unitary Development Plan and whilst situated within a conservation area and being locally listed, the site itself is specifically not identified for any particular purpose. The proposal to convert the public house is therefore considered to be acceptable.
- 10.2 The building is locally listed and a heritage asset. The proposal seeks to demolish rear extensions and outbuilding and extend with a contemporary designed extension which is considered to complement the existing building. The proposal will seek to retain the frontage of the original locally listed building including the exterior features and detailing which will preserve and enhance the conservation area as will the proposed extensions.
- 10.3 The proposal will result in the loss of a community facility. The public house is now closed and whilst the facility has been lost, as a result of the location of the premises within Wednesfield Village, the loss can be compensated by community facilities/public houses within the immediate locality. The condition of the public house is in a poor state and the building being bought back into use is considered to be acceptable and in accordance with the requirements of UDP policy C3.
- 10.4 The car park is within the ownership of the public house and it is proposed that this is used for the nursery only which will be secured by fencing and gates. The businesses on Church Street have access to the rear of their properties off this car park and it is proposed that this access will be retained as part of this proposal. Concerns from nearby businesses in respect of the loss of the car parking facility to the rear of the existing public house and the impact on their business have been raised which have been considered, however the site is in a sustainable location with good access to public transport with adequate existing car parking provision in Wednesfield Village to compensate for the loss of this parking facility. The loss of the car park could prove inconvenient for users of their businesses however it would not be a sustained reason for refusal.
- 10.5 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, it would bring the building back into use, would improve the appearance of this prominent site within Wednesfield Village, provide 25 full time jobs as well as jobs during construction and results in inward investment.

11. Conclusion

- 11.1 The proposal brings back into use a vacant building, results in inward investment, creates 25 full time jobs and improves the appearance of this prominent building in this locality which is locally listed and makes a positive contribution to the character and appearance of the conservation area. The proposal is therefore considered to be acceptable.

12 Detailed Recommendation

- 12.1 That planning application 14/01390/FUL be granted, subject to any appropriate conditions including:
- Submission of Materials
 - Large scale architectural details
 - Large scale external joinery details
 - Levels
 - Landscaping
 - Boundary treatments
 - Parking areas to be provided
 - Swept path analysis
 - Details of refuse collection
 - Cycle storage
 - Restrict shopfront display
 - Restrict use to Day Nursery only
 - Restrict number of children to 80 only



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Planning Committee

24 March 2015

Planning application no.	12/00320/OUT
Site	Land off Railway Drive, Bilston
Proposal	Outline application for block of 47 flats. Landscaping reserved.
Ward	Bilston East
Applicant	Mr Kal Jakhu, P & R Engineering Limited
Agent	Allison Blakeway, Evolution PDR
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Phillip Walker Tel 01902 555632 Email Phillip.walker@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to the signing of a Section 106 agreement and conditions.

2. Background

- 2.1 This application was reported to Planning Committee on 22 May 2012. Committee delegated authority to the Strategic Director Education and Enterprise, to grant permission subject to the signing of a Section 106 Agreement. The delegation allowed for reduced public open space contribution, affordable housing and public art requirements if the scheme was found to have a lack of financial viability, for three years from the date of the Committee meeting. The S106 agreement has not been signed to date and it has taken almost three years for the applicant to demonstrate a lack of financial viability, but now this has been confirmed by the District Valuer.
- 2.2 The developer is now ready to sign the S106 agreement. However, the delegation from Planning Committee only allows for reduced planning obligations until 22 May 2015 and so the applicant is seeking to negotiate a S106 which waives affordable housing, public open space and renewable energy on a pro-rata basis for any flats that are ready for occupation within three years of the date that non-viability was confirmed (23rd February

2015) with the full requirement applying to those flats that are not ready for occupation by that date.

3. Application site

- 3.1 The application site is located south of the Black Country Route, close to the Oxford Street Island. Bilston Town Centre is on the opposite side of the Black Country Route. To the west is the Metro line and to the south and east is commercial development with frontages onto Brook Street. Railway Drive, a cul-de-sac currently closed to vehicles runs northward from Brook Street between the Metro line and the western boundary of the site.
- 3.2 The site has been vacant for many years. It is at a lower level than the Black Country Route. Mature trees along the northern boundary screen the site from that direction.

4. Application Details

- 4.1 This is an outline application but with only landscaping reserved for later approval. Details of layout, scale, external appearance and means of access are all submitted for approval at this stage.
- 4.2 The application proposes a four storey V-shaped perimeter block of 47 flats. In the centre of the site is amenity space and a car park with 27 spaces, accessed via a private drive off Railway Drive.
- 4.3 The exterior of the building would be constructed of brick and render.

5. Planning History

- 5.1 13/00588/OUT. Block of 69 apartments of between 6 and 7 storeys (Layout, Access, Appearance and Scale submitted for approval at this stage). Refused and Appeal Dismissed 01.08.2013
- 5.2 13/00011/FUL. Block of 107 apartments of between 6 and 11 storeys (Layout, Access, Appearance and Scale submitted for approval at this stage). Refused and Appeal Dismissed 01.08.2013.

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 Bilston Corridor Area Action Plan

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 No representations received.

9. Internal Consultees

- 9.1 Transportation, Ecology and Trees. No objections.
- 9.2 Environmental Health. No objections subject to conditions requiring ground investigation and remediation; hours of operation during construction and noise attenuation.

10. External Consultees

- 10.1 Coal Authority – No objection subject to a condition requiring site investigation works and necessary remediation works.

11. Legal Implications

- 11.1 It should be noted that the NPPF supports the Council’s approach in going forward with flexible approaches to S106 Obligations. In addition to reiterating the tests contained in Regulation 122 of the Community Infrastructure Regulations 2010 it also provides “where obligations are being sought or revised, local planning authorities should take into account changes in market conditions over time, and wherever appropriate, be sufficiently flexible to prevent planned development being stalled” KR/09032015/Q

12. Appraisal

- 12.1 The use, design, amenity and access and parking elements of the proposals were previously considered to be acceptable by Planning Committee. However, as this application was considered almost three years ago the focus should now be on development plan policies and other material considerations which have changed significantly since the application was considered acceptable in 2012.
- 12.2 The Bilston Corridor Area Action Plan was adopted in September 2014. There are no policies which indicate that the proposal should not be permitted. There has been no other material change in circumstances.
- 12.3 There is a requirement for affordable housing (25%), public open space/play contribution (£117,500) to be spent on open space and play facilities at Bilston Urban Village, 10% renewable energy and targeted recruitment and training. It has recently been demonstrated that the development would not be sufficiently viable to provide these. The NPPF says that planning obligations should not threaten development viability. Therefore, it is recommended that the requirement for these S106 obligations should be

waived on a pro-rata basis for any flats that are ready for occupation on 22nd February 2018, with the full requirement applying to those flats that are not ready for occupation by that date.

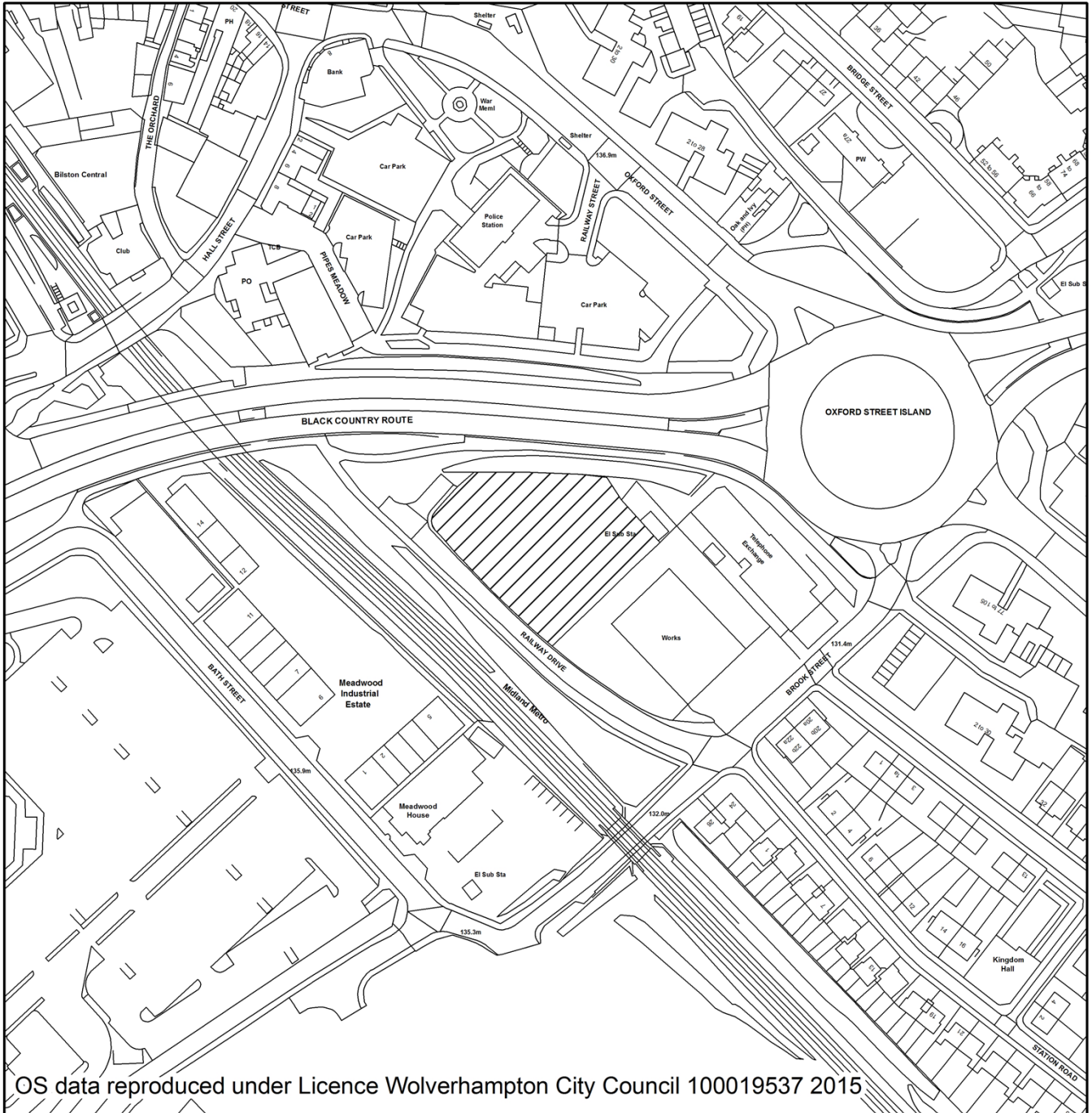
13. Conclusion

- 13.1 The development is acceptable and in accordance with the development plan, subject to a S106 agreement and conditions as recommended.

14. Detailed Recommendation

- 14.1 That the Strategic Director Place be given delegated authority to grant planning application 12/00320/OUT subject to:

1. Completion of a Section 106 Agreement to include:
 - Targeted recruitment and training
 - Management company
 - 25% Affordable housing, public open space / play contribution (£117,000 to be spent at Bilston Urban Village), and 10% renewable energy on a pro-rata basis for each flat that is not ready for occupation on 22nd February 2018.
2. Any necessary conditions to include:
 - External materials
 - Access road construction details
 - External lighting
 - Landscape implementation
 - Tree protection
 - Ground investigation and remediation
 - Noise / Air Surveys and implementation of mitigation works
 - Levels (existing and proposed)
 - Implement ecological recommendations
 - Cycle and motorcycle parking
 - Refuse storage
 - Provision of boundary treatments and gates to car park
 - Site waste management plan
 - Drainage
 - Hours of construction
 - Provision and retention of car parking



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Planning Committee

24 March 2015

Planning application no.	14/01382/FUL
Site	Quality Hotel (formerly Connaught), Tettenhall Road
Proposal	Demolition of hotel and construction of 53 apartments and 48 student studio apartments
Ward	Park
Applicant	Harry Bindra – Sandon Investments Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
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 0.32ha and located 0.5 miles south west of the city centre. It comprises the Quality Hotel which is three stories in height fronting Tettenhall Road and rises to five stories at the rear. A large surface car park and dis-used meeting hall make up the rest of the site. The site is in the Tettenhall Road Conservation Area.

3. Application Details

- 3.1 The proposals are to demolish the hotel (including 40 & 42 Tettenhall Road) and construct 53 2 bedroomed apartments and 48 student studio apartments. The student apartments would front Tettenhall Road, whilst the other apartments would front Middle Vauxhall, Vauxhall Avenue and Upper Vauxhall (in part). Access to a 54 space court yard car park would be from Upper Vauxhall.

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 Residential Development SPG

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 Eight representations have been received, plus a petition with 60 signatures. The planning reasons for objection are:

- Access road unable to cope with increased traffic
- Buildings / scale / density too high
- Detrimental to Conservation Area
- Inadequate parking / visibility
- Increase in traffic
- Loss of daylight / privacy
- Nuisance from construction traffic
- Unacceptable visual impact

7. Internal Consultees

7.1 Transportation and Environmental Health – No objection

8. Legal Implications

8.1 When an application is situated in or affects the setting of a Conservation Area, in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to the 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.

8.2 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 possesses.

8.3 Section 106 Planning obligations must comply with the following tests, namely they must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

(LD/11032015/C)

9. Appraisal

9.1 The key issues are:-

- Heritage and Design
- Impact on neighbouring properties
- Transport and Parking
- Renewable Energy
- Section 106 requirements

Heritage and Design

9.2 The site is within the Tettenhall Road Conservation Area. Three listed townhouses (34-38 Tettenhall Road) share a boundary with the site. This part of the Conservation Area is characterised by three storey townhouses from the late 18th and early 19th century. A modern four storey apartment development is opposite the site.

9.3 The hotel currently offers little in design terms to the Conservation Area. The proposed student block is of a contemporary design. The window articulation follows that of the adjacent listed buildings, whilst the cornice line at the fourth floor follows the roofline of those buildings. This has the effect of responding positively to the design themes in the conservation area. The glazed frontage, partially recessed at the fourth floor, and flat roof ensure the mass of the proposed student apartment building is consistent with the surrounding and adjacent buildings.

9.4 To respect the height of the flats on the corner of Vauxhall Avenue and Middle Vauxhall the proposed development is four storey. This rises to five and later six storey alongside Vauxhall Avenue where the 11 storey tower blocks (Vauxhall House and Connaught House) are located. The characteristic of the area to the rear of the site is of tall buildings, and the proposals continue this massing, height and high densities. The proposed development would enhance the character and appearance of the conservation area.

9.5 No on-site amenity space is proposed, although landscaping is proposed around the site, and within the car park. Previously off-site open space improvements have been accepted in the vicinity on similar apartment developments. West Park is a short walk from the site, and offers a good quality of amenity and play space. The development will contribute towards the improvement of play facilities in West Park.

Impact on neighbouring residents

9.6 The distance between the apartments and the neighbouring flats is 22m a minimum requirement between two storey buildings with the Council's standards. To address this the internal layout of the apartments would have the living room looking out onto the central courtyard, whilst kitchens, a single bedroom and bathrooms are on the Vauxhall Avenue elevation, ensuring minimal overlooking of the flats in Vauxhall House, Connaught House, and the Vine.

- 9.7 The proposed apartments are to the south west of the existing tower blocks on Vauxhall Avenue. Consequently there will be some loss of evening sunlight during the summer months. However due to the separation distance there would only be a marginal impact.

Transport and Parking

- 9.8 The two bedroomed apartments would each have a designated on-site parking space. There would be a single drop-off space for the student apartment building. Twenty cycle parking spaces in a cycle shelter would serve the student block, whilst the apartments would have one cycle space each. The site is highly accessible with a regular bus service along the Tettenhall Road, and a short walking distance to Chapel Ash, the City Centre and University. On this basis the level of parking provision is acceptable.

- 9.9 The applicants have suggested an obligation within the Section 106 agreement requiring students to enter into an agreement with the management company to ensure they do not bring a car to the site. The management company will be required by the Council to enforce the obligation. To make this arrangement acceptable it would also be necessary for the agreement to include a term in the students' tenancy agreements to comply with the requirement and the landowner and successive landowners would be required to enforce the term in the tenancy. The following roads will also be included within the Section 106 clause:

- The Beeches
- Lower Vauxhall
- Middle Vauxhall
- Upper Vauxhall
- Vauxhall Avenue
- Larches Lane
- Haden Hill
- Clarendon Street

- 9.10 The obligation will ensure that the Council has some control through the management company over students bringing vehicles to the site, thereby controlling the potential on-street impact of the proposals. It must be recognised that the enforcement of the terms in the tenancy agreement will be dependent on the owner and its management company taking appropriate action against students who fail to comply which may possibly include terminating the agreement. This requirement is directly related to the development, and is necessary to make the proposals acceptable in planning terms.

Renewable Energy

- 9.11 The applicants are proposing to provide photo voltaic panels to provide the 10% renewable energy requirement.

Section 106 requirements

- 9.12 There is a policy requirement for the following to be secured through a Section 106 agreement:
- Off-site open space contribution
 - 25% affordable housing
 - Targeted recruitment and training

- 9.13 The Section 106 will restrict occupancy of the 48 studio apartments to full-time students only. On this basis the affordable housing requirement will be waived for this part of the development.
- 9.14 The applicants have advised that they will submit a financial viability appraisal with the intention of demonstrating that the development is not sufficiently viable to fund all of the normal Section 106 requirements.
- 9.15 It would be appropriate to reduce the Section 106 requirements for open space contribution and affordable housing, on a pro-rata basis, commensurate with any lack of viability which may be demonstrated, with such a reduction being for a 3 year period only, to reduce the likelihood that the developers would benefit unduly from rising home prices making the development viable.

10. Conclusion

- 10.1 Subject to conditions and a Section 106 as recommended, the proposal would be acceptable and in accordance with the development plan.

11. Detailed Recommendation

- 11.1 That the Strategic Director Place be given delegated authority to grant planning application 14/01382/FUL subject to:

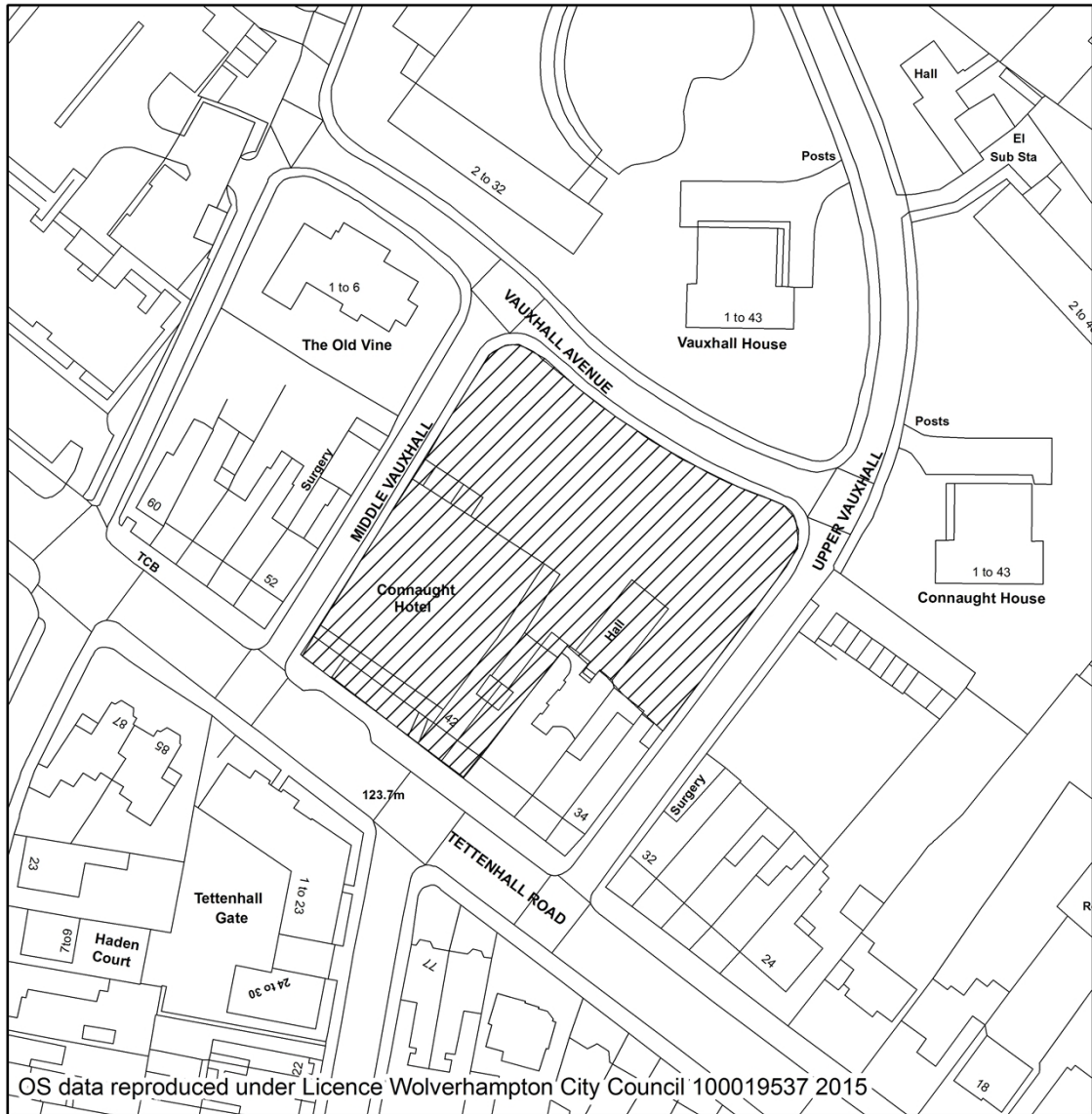
- (i) A Section 106 agreement for the following (if the development is sufficiently financially viable) :
- Off-site open space contribution - £260,240 to be spent on play space improvements in West Park
 - 25% affordable housing (excluding the 48 studio apartments)
 - Targeted recruitment and training
 - Controlled student parking

If the development is not fully financially viable:

A reduction in Section 106 requirements commensurate with the shortfall in viability on a pro-rata basis for all apartments that are ready for occupation within 3 years of the date that a lack of viability is established, with the full (pro-rata) requirement falling on all apartments that are not ready for occupation by that date

- (ii) any appropriate conditions including:
- Materials;
 - Landscaping;
 - Boundary treatments;
 - Construction Management Plan including demolition phase;
 - Details of gable wall treatment for 38 Tettenhall Road
 - Acoustic glazing on or at right angles to Tettenhall Road for habitable rooms

- Acoustic trickle vents on or at right angles to Tettenhall Road for habitable rooms
- 10% renewable energy
- Hours of construction;
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.



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Planning Committee

24 March 2015

Planning application no.	14/01401/FUL
Site	Patchbox Public House, Willis Pearson Avenue
Proposal	10 apartments, landscaping and parking
Ward	Bilston East
Applicant	Charlie Sangha – Qualitas Developments Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
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 0.08ha and is located 1.5 miles south east of Bilston Town Centre in a primarily residential area. The Patchbox Public House has been demolished, and the site has been the target of anti-social behaviour

3. Application Details

3.1 Ten one-bedroom apartments in a two and half storey building are proposed. The plans show two entrances, one from Rowley View and one from Willis Pearson Avenue. Ten car parking spaces are proposed, with cycle parking and bin storage at the rear of the building.

3.2 Landscaping would address the corner of Rowley View and Willis Pearson Avenue. The building materials would be a mixture of brickwork and render to reflect the local style.

4. Planning History

4.1 11/00463/FUL - Erection of four, three bed, semi-detached houses. 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)
- 5.3 Residential Development SPG

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 representations have been received.

8. Internal Consultees

- 8.1 Transportation and Environmental Health – No objection

9. Legal Implications

- 9.1 Section 106 planning obligations must meet all of the following tests, namely, they must be:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.

(LD/10032015/B)

10. Appraisal

- 10.1 The height of the building is consistent with the maisonettes adjacent and the eaves line follows that of the adjacent house on Willis Pearson Avenue and the ridge line and footprint is staggered to reduce the mass of the building to the garden of that house.
- 10.2 The windows facing the garden of 35 Willis Pearson Avenue are to bedrooms and circulation spaces, meaning that overlooking will be kept to a minimum. The proposals would result in a marginal loss of evening light to the rear garden of the adjacent dwelling. However the building is set away from the boundary fence, whereas the former public house was located alongside this boundary.
- 10.3 Amenity space surrounding the building, vehicle parking and cycle spaces provision all meet Council standards.

10.4 A Section 106 is required to secure £15,300 for play space improvements at the nearby Rocket Pool open space, which would be in accordance with policy. The Section 106 would also include an obligation for Targeted Recruitment and Training.

11. Conclusion

11.1 Subject to conditions and a Section 106 as recommended, the proposal would be acceptable and in accordance with the development plan.

11. Detailed Recommendation

11.1 That the Strategic Director Place be given delegated authority to grant planning application 14/01401/FUL subject to:

- (i) A Section 106 agreement for the following:
 - Off-site open space contribution - £15,300 for play space improvements at Rocket Pool open space.
 - Targeted recruitment and training
- (ii) Comments from the Coal Authority (and any suggested conditions) in respect the applicant's Coal Mining Risk Assessment;
- (iii) any appropriate conditions including:
 - Materials;
 - Landscaping;
 - Boundary treatments;
 - Cycle parking;
 - Bin stores;
 - Construction Management Plan;
 - Site Investigation
 - 10% renewable energy;
 - Hours of construction;
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.





Planning Committee

24 March 2015

Planning application no.	14/01283/FUL
Site	The Ashmore Public House, Griffiths Drive, Wednesfield
Proposal	Erection of two retail units, including an ATM, refuse and plant area. Demolition of existing betting office and retention of the public house.
Ward	Wednesfield North
Applicant	New River Retail Property Trust No. 4
Agent	Tom Hallett, Peter Brett Associates
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Ann Wheeldon Tel 01902 550348 Email Ann.wheeldon@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions.

2. Application site

2.1 The application site is a grassed area within the car park to the existing Ashmore Public House. It is located within Ashmore Park local centre and has residential dwellings situated to the rear. There is a levels difference within the site with the land level sloping away towards the dwellings to the south and beyond.

3. Application details

3.1 The application is for the erection of two retail units, including an ATM, refuse and plant area within the car park of the pub. The vacant former betting office will be demolished but the public house will be retained.

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)

5. Publicity

- 5.1 A 130-name petition and four letters of objection have been received on the following planning grounds:
- Loss of trade to existing shops
 - Loss of jobs
 - Increased traffic will lead to noise and pedestrian safety issues
 - Loss of light and privacy to neighbouring dwellings
 - Height of the proposed fence

6. Internal Consultees

- 6.1 Transportation: no objections
- 6.2 Environmental Health: no objections subject to conditions requiring, hours of operation during construction, hours of use and deliveries, details of fixed plant equipment, demolition method statement, construction management plan,

7. External Consultees

- 7.1 Coal Authority: Coal Mining Risk Assessment required.

8. Legal Implications

- 8.1 There are no direct legal implications arising from this report (LD/11032015/A)

9. Appraisal

- 9.1 The application site is located within Ashmore Park Local Centre and therefore the principle of creating new retail units is acceptable. Any potential loss of trade to existing units would not be a material planning consideration in this case. The applicant states the proposal will create six full time positions and 14 part time jobs.
- 9.2 The proposal would allocate 14 parking spaces for the new retail units and 24 parking spaces for the public house. This would be an acceptable parking provision for both the proposed units and the existing pub with sufficient remaining area for vehicle manoeuvring and would not result in any detrimental impact to pedestrians either inside or outside the site.
- 9.3 The proposed new building would complement the existing building line and would be of a good design, with two front gables and clear glazing panels comprising the majority of the front elevation.
- 9.4 The rear elevation of the proposed new building would be located approximately 17.8m from the dwelling immediately to the rear (14 Townson Road). The roof would be hipped

to minimise the impact on the neighbours to the rear and would measure approximately 3.7m at the point nearest to the dwellings at the rear. Whilst the proposed building would have an impact on the dwellings to the rear of the site, including loss of daylight, this would not be of such a material nature to warrant refusal of the application

- 9.5 The proposed service area would be located to the rear of the building. This would be surrounded by an acoustic fence to minimise the noise impact on the adjacent dwellings. The fence and ramp on which it would be built would measure approximately 2.5m in height but would be located approximately 3.3m from the boundary, therefore it would not have an unacceptable impact on the dwellings to the rear.
- 9.6 In order to minimise the impact on these dwellings, an acoustic fence would be installed and hours of operation would be limited by condition (Store Opening hours: 0700-2300 Mondays to Saturdays and 0800-2300 Sundays and Bank Holidays and deliveries and refuse collection 0800-1800 Monday to Saturdays and 0900-1800 Sundays and Bank Holidays).

10. Conclusion

- 10.1 Subject to the recommended conditions, the development would be acceptable and in accordance with the development plan.

11. Detailed Recommendation

- 11.1 That planning application be granted subject to any necessary conditions, to include:
- Hours of operation and delivery
 - Submission of materials
 - No vinyls, shelves, curtains, shutters etc to cover the glazing on the front elevation
 - Acoustic fencing to be installed
 - Car parking to be implemented and maintained as shown
 - Existing access to Peacock Avenue to remain open during opening hours
 - Details of fixed plant equipment
 - Demolition method statement
 - Construction management plan
 - Limited construction hours (0800-1800 Monday to Saturday and 0800-1300 Sunday)
 - 2000 gauge damp proof membranes in the new buildings



Planning Committee

24 March 2015

Planning application no.	15/00115/FUL
Site	Former Oxbarn Members Club, 116 Church Road
Proposal	Change of use from private members' club to place of worship. Replacement gates and opening blocked windows.
Ward	Graiseley
Applicant	Mr Hari Kaul, The Asian Christian Fellowship
Agent	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards , Service Director, City Assets
Planning officer	Name Charlotte Morrison Tel 01902 551357 Email Charlotte.morrison@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions.

2. Application site

2.1 The building, which is located in a residential area, operated as a members' club until the end of 2014. It is mainly single storey with a small two storey element which accommodates a manager's flat at first floor. At the rear is a car park. There is access to the building from the car park and from the front.

3. Application Details

3.1 Planning permission is sought for a change of use to a place of worship and for replacement gates to the car park and the re-opening of blocked windows

3.2 The Asian Christian fellowship was formerly based at Darlington Street Methodist Church and is now based at Broad Street Church. The church members are largely from an Indian background but all are welcome. The main services are on Sundays at 11:00 and 18:00, with a morning and evening Sunday school. During the week there are a range of meetings which generally finish by 20:30. The church wish to be able to open the premises for community uses up until 22:00.

- 3.3 The current parking demand is 18 to 22 cars. The application shows 30 spaces in the car park but the applicant makes the point that visitors can double park if required as they will leave at similar times.

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)

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 26 letters (most of which are in a standard format) make the following points:-
- Potential disturbance because of long hours, social activities (e.g.youth club) and use of the car park.
 - Visitors will generally drive and the road is not adequate to take the increased traffic.
- 6.2 3 letters of support have been received from church members.
- Appropriate use for the empty building
 - The car park is adequate for the needs of the church
 - Less intensive and disruptive than the previous use

7. Internal Consultees

- 7.1 Transportation – Good accessibility by public transport. The number of parking spaces is acceptable.

8. Legal Implications

- 8.1 S55(2)(f) of the Town and Country Planning Act 1990 requires that planning permission be obtained for the development of land, including the making of the material change in the use of any building or land. The Town and Country Planning (Use Classes) Order 1987 prescribes a number of classes of use. A use not falling within a specific class is a sui generis use. The existing use for a private members club is considered to fall under Class D2 (Assembly and Leisure) and the proposed use for a place of worship falls under Class D1 (Non-residential institutions). KR/12032015/I

9. Appraisal

- 9.1 The building can lawfully be used for any purpose within Class D2 of the use classes order, which would include a concert, dance or bingo hall or a gymnasium . It could also revert back to its use as a members' club. There are no planning conditions which would preclude 24 hour operation.
- 9.2 If the building is not brought back into use it is likely fall into disrepair and could be subject to antisocial behaviour.
- 9.3 A church is an acceptable use in a residential area and subject to conditions as proposed, would have a lesser impact on the area than could potentially be the case if one of the lawful uses was implemented.
- 9.4 The replacement gates and unblocking of windows are acceptable. Access and car parking are acceptable.

10. Conclusion

- 10.1 The proposed development is acceptable and in accordance with planning policies.

11. Detailed Recommendation

- 11.1 That full planning permission be granted for the change of use subject to the following conditions:-
- Rear access to the building and car park gates to be accessible at all times when the premises is open
 - Use restricted to Place of Worship and no other use within the same use class.
 - Restrict opening hours to between 08:30 – 22:00



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Planning Committee

24 March 2015

Planning application no.	15/00090/OUT
Site	Land between 39 and 41 Daley Road
Proposal	Outline planning application with all matters reserved (seven dwellings maximum)
Ward	Bilston East
Applicant	Mr Dilip Apte
Agent	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards , Service Director, City Assets
Planning officer	Name Marcela Quinones Herrera Tel 01902 555607 Email Marcela.QuinonesHerrera@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions.

2. Application site

2.1 The majority of the application site is a former garage site with an access from Daley Road. A small part of the site, approximately 190m², was previously part of Stirling Road public open space and the Bilston Canal Corridor Conservation Area. The total site area is approximately 1770m² (0.17Ha).

2.2 In accordance with the Council's records, the historical land use dated 1884 – 1890 shows that the site formed part of Bradley Colliery with evidence of mineshafts and Batman Hill Iron Works within 200m. By 1966 garages had been built along the sites' perimeter and by 1974 the land formed part of a Corporation Yard.

2.3 The immediate adjoining properties are Nos. 39 and 41 Daley Road and 33A and B Stirling Road towards the North West corner of the site.

3. Application Details

3.1 This application is an outline planning application with all matters reserved, for a maximum of seven dwellings.

3.2 Pre-application advice was sought for this proposal.

4. Constraints

4.1 Stirling Road Open Space
Conservation Area - Bilston Canal Corridor
Mining Referral area
Landfill Gas Zones

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 No. 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 Six letters of objection received. One of them from Councillor Stephen Simkins. Raising the following issues:

- Access road unable to cope with traffic
- Danger to pedestrian safety
- Inadequate access for emergency/service vehicular traffic
- Existing on street parking reduced during construction phase
- Increase in traffic in particular during the construction phase
- Increased use of substandard junction
- Late night/early morning activity during construction
- Location of access unacceptable
- Nuisance from construction traffic
- Demolition of existing boundary treatments and replacement with inadequate ones.
- Mining and land contamination
- Future of public open space
- Construction works will prevent/restrict access to properties No. 39 and 41 Daley Road.

- Litter

8. Internal Consultations:

- 8.1 Transportation – Raised concerns with regard to the submitted indicative layout. In particular: road layout (bin lorry not able to turn around and exit), access road too narrow and no separate pedestrian access onto the development. All these matters can be addressed and will be dealt with in the reserved matters planning application.
- 8.2 Environmental Health – No objection subject to conditions for a construction management plan, operational hours during construction and a site investigation report.
- 8.3 Public Realm – No objections.

9. External Consultations:

- 9.1 Coal Authority– No objection subject to an intrusive site investigation condition prior to any reserved matters application and remedial works to be undertaken prior to commencement of development.

10. Legal Implications

- 10.1 When an application is situate in or affects the setting of a Conservation Area in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to the 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 (LD/10032015/C).

11. Appraisal

- 11.1 The site currently comprises a disused garage site and a small area of land which was part of a much larger Public Open Space which was surplus to requirements due to its size and location. The site is predominantly situated within a residential area therefore, the use is acceptable in principle.
- 11.2 The applicant has submitted an indicative layout plan and whilst not for determination, it shows that the site can accommodate a maximum of seven dwellings.
- 11.3 An amended version of this indicative layout plan included a bin store area in order to address transportation concerns with regards to the road layout.
- 11.4 A number of objections from neighbours relate to issues which may occur during the construction phase of the development. These can be controlled by means of two conditions: a Construction Method Statement condition (to include controls in relation to traffic management, dust, noise, vibration, waste, stockpiling, emissions, vehicle sheeting and wheel washing, road sweeping, lighting, energy efficiency, machinery and plant including cranes) and hours of operation during the construction phase condition.
- 11.5 With regards to boundary treatments, this can also be required by means of a condition.

- 11.6 Due to the history of the site a site investigation condition will be also required.
- 11.7 The applicant has submitted a Coal mining report and a Coal Mining Risk Assessment Report. The Coal Authority supports the application subject to conditions.
- 11.8 The NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to the Coal Authority comments, the proposal would represent sustainable development, would improve the appearance of this site, provide housing and create jobs through the construction of the development.

12. Conclusion

- 12.1 The development is considered acceptable in principle and in accordance with the development plan.

13. Detailed Recommendation

- 13.1 That planning application 15/00090/OUT be granted, subject to any appropriate conditions including:
- Standard outline conditions
 - Landscaping – including boundary treatments
 - Transportation – access, site turning and parking layout
 - Materials
 - Bin stores details
 - Details of surface and foul water
 - Contaminated land – Site Investigation Report
 - Construction Method Statement
 - Hours of operation during construction
 - Removal of permitted development rights for first floor level windows for any dwelling facing onto the rear amenity and side elevation of property No. 41 Daley Road.
 - Conditions as required by the Coal Authority
 - Maximum of seven dwellings hereby permitted
 - Access to public open space to be retained
 - Existing and proposed site levels.



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