



Planning Committee

29 September 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 Greg Brackenridge
Cllr Dr Michael Hardacre
Cllr Keith Inston
Cllr Jasbir Jaspal
Cllr Phil Page
Cllr John Rowley
Cllr Judith Rowley
Cllr Bert Turner

Conservative

Cllr Wendy Thompson
Cllr Jonathan Yardley

Quorum for this meeting is four Councillors.

Information for the Public

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

Agenda

Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	Apologies for absence
2	Declarations of interest
3	Minutes of the previous meeting (Pages 5 - 10) [To approve the minutes of the previous meeting as a correct record]
4	Matters Arising [To consider any matters arising]

DECISION ITEM

5	Confirmation of TPO at 34 Riley Crescent (Pages 11 - 14) [To consider the confirmation of a Tree Preservation Order]
6	Planning application 15/00100/RC Aldi, Goldthorn Hill, Wolverhampton (Pages 15 - 18) [To determine the application]
7	Planning application 15/00616/FUL Arts and Drama Centre, Wolverhampton Grammar School, Merridale Lane, Wolverhampton (Pages 19 - 22) [To determine the application]
8	Planning application 15/00617/FUL Arts and Drama School, Wolverhampton Grammar School Merridale Lane Wolverhampton (Pages 23 - 26) [To determine the application]
9	Planning application 15/00872/FUL 270 Newhampton Road East (Pages 27 - 30) [To determine the application]
10	Planning application 15/00374/FUL Garage site behind 76 - 84 Snape Road, Wolverhampton (Pages 31 - 34) [To determine the application]
11	Planning application 15/00727/FUL Garage site behind 3 to 23 Lower Vauxhall (Pages 35 - 38) [To determine the application]
12	Planning application 15/00715/FUL Henleaze Stockwell End (Pages 39 - 42) [To determine the application]
13	Planning application 15/00518/FUL Tettenhall College, Wood Road, Wolverhampton (Pages 43 - 50)

[To determine the application]

- 14 **Planning application 15/00497/FUL and 15/00832/FUL Former TettenhallWood
Special, School Road** (Pages 51 - 56)
[To determine the application]

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Planning Committee

Minutes - 21 July 2015

Attendance

Councillors

Cllr Linda Leach (Chair)
Cllr Harman Banger (Vice-Chair)
Cllr Greg Brackenridge
Cllr Dr Michael Hardacre
Cllr Keith Inston
Cllr Jasbir Jaspal
Cllr Phil Page
Cllr John Rowley
Cllr Judith Rowley
Cllr Wendy Thompson
Cllr Jonathan Yardley

Employees

Lisa Delrio	Senior Solicitor
Andy Carter	Senior Planning Officer
Carl Craney	Democratic Support Officer
Marcela Quinones Herrera	Planning Officer
Paul Lester	Planning Officer
Charlotte Morrison	Section Leader
Tim Philpott	Lead Transport Officer
Ragbir Sahota	Planning Officer

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

An apology for absence had been received from Cllr Bert Turner.

2 Declarations of interest

Cllr Craig Brackenridge declared a non disclosable non pecuniary interest in Item No. 9 (14/01283/FUL The Ashmore Public House, Griffiths Drive, Wolverhampton) inasmuch as he had been involved in organising an Armed Forces 2015 event at the venue and was currently involved in organising a similar event for 2016 during which time he had had regular contact with the current Licensee.

3 Minutes of the previous meeting

Resolved:

That the minutes of the previous meeting (2 June 2015) be confirmed as a correct record and be signed by the Chair.

4 **Matters Arising**

There were no matters arising from the minutes of the meeting held on 2 June 2015.

5 **Planning application 15/00597/FUL Land south of 71 Upper Villiers Street, Wolverhampton**

Mr Paul Birch spoke in opposition to the application.

Cllr Mrs Judith Rowley commented that the application, if approved and brought to fruition was likely to improve the street scene. The existing derelict site was a magnet for fly posting and fly tipping and was likely to compromise the security of adjoining dwellings. Cllr John Rowley reminded the Committee that similar applications had been approved previously for this site.

Resolved:

That application 15/00597/FUL be granted subject to no objections being received from Severn Trent and any appropriate conditions including:

- Motorcycle locking rail details;
- Materials;
- Acoustic treated trickle vents;
- Hours of operation and methods of work in accordance with Construction Management Plan;
- Boundary and Security gates details and materials;
- Provision of gardens and hard landscaping as approved.

6 **15/00447/FUL 77 Overfield Drive, Wolverhampton**

Mrs Ann Tighe spoke in opposition to the application.

Mr J K Kalsi spoke in favour of the application.

Resolved:

That application 15/00447 be refused on the grounds of poor outlook, overbearing and visual impact. Contrary to relevant UDP Policies: D7, D8, H6 and BCCS Policy ENV3.

7 **15/00617/RC Arts and Drama Centre, Wolverhampton Grammar School, Merridale Lane, Wolverhampton**

Cllr Dr Michael Hardacre commented that whilst he had some sympathies with the application he had some reservations and concerns with the likely traffic implications.

Resolved:

That consideration of planning application 15/00617/RC be deferred to enable a site visit to be held together with consideration of the highway implications and the travel plan.

8 15/00144/FUL 11 Waterloo Road, Wolverhampton

Cllr Mrs Judith Rowley questioned whether the likely damp atmosphere arising from basement living accommodation was a relevant planning consideration. The Planning Officer advised that this issue was dealt with under Building Regulations legislation. Cllr Harman Banger expressed concern with the risk of fire and suitable methods of evacuation and fire escape. Cllr Mrs Thompson expressed reservations over the location of a House in Multiple Occupation in an office commercial environment and also the likely management arrangements.

Resolved:

That planning application 15/00144/FUL be granted subject to any appropriate conditions including:

- Submission of materials;
- Details of bin stores.

9 14/01283/FUL The Ashmore Public House, Griffiths Drive, Wednesfield

Mr Thomas Hallett spoke in favour of the application.

Resolved:

That application 14/1283/FUL be granted subject to a satisfactory coal mining risk assessment and any necessary conditions including:

- Hours of operation and delivery
- Submission of materials;
- No vinyls, shelves, curtains, shutters etc to cover the glazing on the front elevation;
- Specification of acoustic fencing to be installed and maintained;
- Car parking to be implemented and maintained as shown;
- Existing access to Peacock Avenue to remain open during opening hours;
- Noise survey;
- Demolition method statement;
- Construction management plan;
- Limited construction hours (0800 to 1800 Monday to Saturday and 0800 to 1300 Sunday);
- 2000 gauge damp proofing membranes in the new buildings;
- Design of cycle parking.

10 15/00563/FUL Chubb Locks Unit, Well Lane, Wednesfield

Resolved:

That application 15/00563/FUL be granted subject to the following conditions:

- Temporary permission for ten years;
- The permission is for a trampoline centre with ancilliary distribution only.

11

15/00305/FUL Former Edward Vaughan Stamping Works, Horseley Fields, Wolverhampton

The Planning Officer reported that the recommendation required amendment inasmuch that determination of the application would not be subject to a delegation to the Service Director for City Assets as the relevant information had been received.

Mr Mark Johnson spoke in support of the application.

Some Councillors welcomed the application given that, if approved and brought to fruition it would be an improvement to the current condition of the site, addressed a problem with contaminated land and would lead ultimately to the provision of residential development. Cllrs Keith Inston and Harman Banger commented on the proliferation of waste transfer sites in the East Park Ward and questioned the arrangements for ensuring the proposed waste recycling hub was managed properly, that the target of five years would be achieved, the likelihood of smells emanating from the site and the likely impact on traffic movements on the Willenhall Road. The Planning Officer and the Highways Officer explained the proposed management arrangements including regular monitoring together with colleagues in the Environmental Health Department, reminded the Committee that the Council was also the Landlord of the site and thus enjoyed further control on operations and proposals for future highway arrangements. The Planning Officer explained that it would be necessary for an explanation to be given as to how the site would be remediated in that five year period. He offered to report back to the Ward Councillors on the outcomes from monitoring meetings.

Resolved:

That application 15/00305/FUL be granted with conditions including the following:

- Temporary permission for five years;
- A remediation strategy submitted within three months of permission;
- Site operations to be carried out in accordance with the submitted operational working plans;
- Drainage plan;
- No treating and composting of organic material;
- Noise condition;
- Outside storage and treatment of waste in the designated areas;
- Stock piles maximum height of 5m;
- Wheel cleaning facilities;
- All non-road vehicles and stationary plant shall comply with emissions requirements;
- Hours of operation shall be limited to:
 - 0800 to 1700 Monday to Friday
 - 0800 to 1300 Saturday
 - No hours on Sundays and Bank Holidays
- External lighting shall be in accordance with the lighting installation report dated 26 May 2015;
- Air quality monitoring.

12 **15/00524/FUL Former Bird in Hand Public House, School Road, Tettenhall Wood**

The Planning Officer reported that a further six letters of objection to the application had been received and that some concern had been expressed with regard to the level of public consultation undertaken in respect of the application. The Section Leader explained that the Local Neighbourhood Partnerships and other interested groups were encouraged to take a proactive role in considering which applications they commented upon by viewing all applications via the Planning Portal.

Ms Tricia Bell spoke in opposition to the application.

Some Councillors expressed concern with the potential loss of open space, the loss of the hedge, the likely problems with HGV's accessing and exiting the site and the proposed opening hours of the store. Councillors requested that the hours of opening should be restricted to 2200 hours assuming that this was in line with other retail outlets in the Ward.

The Lead Transport Officer explained the proposals put forward by the applicant to address HGV movements.

Resolved:

That application 15/00524 be granted subject to conditions including:

- Net floor space restriction;
- Materials;
- Construction Management Plan;
- Hours of opening:
 - 0700 to 2200 hours Monday to Saturday
 - 0800 to 2200 hours Sundays and Bank Holidays
- Hours of deliveries and collection of goods and refuse;
- Car parking provision as shown;
- Cycle and provision of disabled parking;
- No external shutters / obscuring of windows;
- CCTV and lighting details;
- Landscaping;
- Tree protection;
- No external plant or machinery without prior approval.

13 **Former Steam Mill, Corn Hill, Wolverhampton**

The Committee received an Urgent Business report dated 7 July 2015 and that on 8 July 2015, pursuant to Section 78 of the Building Act 1984 (Dangerous building – emergency measures), notice had been given to the owner of the Steam Mill of the Council's intention to take immediate action to remove the danger.

Resolved:

That the report be received and noted.

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Planning Committee

29 September 2015

Report Title.	Wolverhampton City Council (34 Riley Crescent) Tree Preservation Order (TPO) 2015		
Ward	Graiseley		
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity		
Accountable director	Nick Edwards Service Director City Assets		
Planning officer	Name	Andrew Fisher	
	Tel	01902 555621	
	Email	Andy.fisher@wolverhampton.gov.uk	

1. Summary Recommendation

- 1.1 Confirm the TPO

2. The site

- 2.1 The tree covered by the TPO is located to the north eastern side boundary of a semi-detached residential property within the Pennfields Conservation Area.

3. Details

- 3.1 The tree is a sizeable and fully mature Oak Tree which is in good condition and form with a high amenity value in that it is visible from the public areas within the Conservation Area.
- 3.2 The owners of the tree notified us that they wished to carry out works to the tree which was afforded protection as it is located within the Conservation Area. The protection under the Conservation Areas legislation effectively ends once a notification has been received and a decision as to whether the tree requires specific protection has to be made.
- 3.3 The Tree Preservation Order was made and served on 13th May 2015 in accordance with section 198(1) of the Town and Country Planning Act 1990 providing immediate provisional protection that lasts for six months and long-term protection once authorities confirm them after considering any objections or representations

4. Planning History

4.1 TREE/0170/07/TN – Prune Branches over house and drive – Permitted

4.2 TREE/0178/09/TN - Lifting and reduction of crown – Permitted

5. Objections

5.1 One objection has been received; however the objection makes no relevant observations.

6 Legal Implications

6.1 There are no legal implications arising from this report **KR/17092015/P**

7. Appraisal

8.1 The Oak tree is an important part of the character and appearance of the Pennfields Conservation area and is visible from Riley Crescent and all surrounding properties. The tree is over 12 metres high, and is of good balanced form. It has an estimated healthy life span in excess of fifty years.

8.2 It is expedient on the interests of amenity to make provision for the preservation of this tree as removal would have a significant impact on the local environment.

9. Conclusion

9.1 The amount of amenity value derived from the tree would justify the confirmation of the order.

10. Detailed Recommendation

10.1 Confirm the order.

Map Output

Page 1 of 1



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Development Control
Regeneration & Environment
Wolverhampton City Council
St. Peter's Square
Wolverhampton
WV1 1RP

Plan Produced 16.9.2015
Scale 1:1,250

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Planning Committee

29 September 2015

Planning application no.	15/00100/RC
Site	Aldi, Goldthorn Hill, Wolverhampton, WV2 3HP
Proposal	Variation of condition to allow deliveries and collections 0700-1200 and 1700-2200 Monday to Saturday and Sunday 0900-1700.
Ward	Blakenhall
Applicant	Aldi
Agent	Scott Bryden
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.

2. Application site

2.1 The application site is an existing food store, with residential areas surrounding to the west, east and south and commercial uses to the north.

3. Application details

3.1 The application is to extend the current hours of delivery and collection. The existing approved hours are 0700-1100 and 1700-2100 Monday to Saturday and on Sunday 0900-1200. This application proposes hours of 0700-1200 and 1700-2200 Monday to Saturday and Sunday 0900-1700.

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. Planning History

- 5.1 10/00511/VV for variation of condition to allow deliveries on Sunday between 09.00 hours and 13.00 hours. Granted dated 15.09.2010.
- 5.2 14/00714/RC for variation of condition to change deliveries and collections from 0700-1100 and 1700-2100 Monday to Saturday inclusive and 0900-1200 on Sundays to 0630-1200 and 1700-2200 Monday to Saturday and 0900-1700 on Sundays. Refused 01.09.2014.
- 5.3 99/0659/VV for variation of condition changing the times of deliveries and waste removal from between 0600-1200 hours and 1600-22.00. Refused 08.09.1999

6. Publicity

- 6.1 Seven objections have been received on the grounds of noise disturbance, including from Cllr John Rowley, Cllr Judith Rowley and Cllr Harbans Singh Bagri.

7 Consultees

- 7.1 Transportation – no objections
- 7.2 Environmental Health – no objections

8 Legal Implications

- 8.1 There are no legal implications arising from this report KR/16092015/C

9. Appraisal

- 9.1 The key issues to be considered when determining this application are:
- Noise impact on neighbouring amenity
 - Highway safety

Noise Impact on Neighbouring Amenity

- 9.2 The original application was to allow deliveries from 0630 to 0700 Monday to Saturday. However, following a Council noise survey that showed an unacceptable noise impact on the dwellings surrounding the site, this element of the proposal was withdrawn.
- 9.3 The start-time for the deliveries would remain the same as the current approval. The proposal is to increase the morning delivery time by one hour to 1200 and extend the night time deliveries to 2200. On Sundays, the proposal is to increase the delivery times from 0900-1200 to 0900-1700.
- 9.4 As the proposed morning delivery times will not be earlier than the existing approval allows, and the remainder of the proposed extended hours will be during the daytime or

evening, there would not be an unacceptable impact on the amenity of the neighbouring properties.

Highway Safety

- 9.5 The proposal would add an hour to each morning and evening delivery slot Monday to Saturday and an additional five hour on Sunday. The current layout for parking and deliveries will not be altered, consequently there will not be any detrimental impact on vehicular or pedestrian safety.

10. Conclusion

- 10.1 The proposed variation of the previously added condition would not result in an unacceptable impact on either the amenity of the neighbouring properties or pedestrian or vehicular safety.

11. Detailed Recommendation

- 11.1 Grant.

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Planning Committee

29 September 2015

Planning application no.	15/00616/FUL	
Site	Arts And Drama Centre, Merridale Lane, Wolverhampton	
Proposal	Alterations and extensions to car park to create an additional 20 spaces.	
Ward	Park	
Applicant	Wolverhampton Grammar School	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Service Director	Nick Edwards, 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 the Arts and Drama Centre for Wolverhampton Grammar School located on Merridale Lane. The building includes classrooms and a drama performance facility.

3. Application Details

- 3.1 Alterations and extensions to the existing car park located at the rear of the site to create an additional 20 spaces. This is not a patron parking facility and the car park would continue to be used only by school staff and performers performing at the Arts and Drama facility.

Planning history

- 4.1 Relevant planning history:

15/00617/RC - Removing conditions from a previous planning permission - Variation of conditions 12 and 14 of planning permission 05/1029/FP/M (two storey arts and drama facility) to allow use by non-school groups and increase evening performances up to a maximum of 75 in a year - Application under consideration.

05/1029/FP/M - Brincars Citroen, Merridale Lane - Arts & drama facility for Wolverhampton Grammar School, comprising a two storey building, six parking spaces and associated landscaping. Granted by Planning Committee 26 September 2005.

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. Publicity

- 6.1 Six letters of objection have been received. Reasons for objection include impact on amenity and highway safety.

7. Consultees

- 7.1 Transportation – No objections.
- 7.2 Environmental Health – No objections.
- 7.3 Tree Officer – No objections.

8. Legal Implications

- 8.1 There are no legal implications arising from this report KR/10092015/X

9. Appraisal

- 9.1 The premises forms part of the Wolverhampton Grammar School and the area has been utilised for staff and performer parking since the conversion and extension of the building to create the Arts and Drama Facility. The proposed car parking spaces will be constructed on an area of landscaping with trees.
- 9.2 There is no objection to the loss of a small number of the trees and the landscaping on the site. The re-configuration of the site would be appropriate and would not cause significant impact on visual amenity.
- 9.3 The increase in car parking would not cause undue impact on neighbouring amenity.
- 9.4 Parking is currently managed by the school and is controlled by planning condition. Parking is also subject to an approved travel plan. A revised travel plan has been

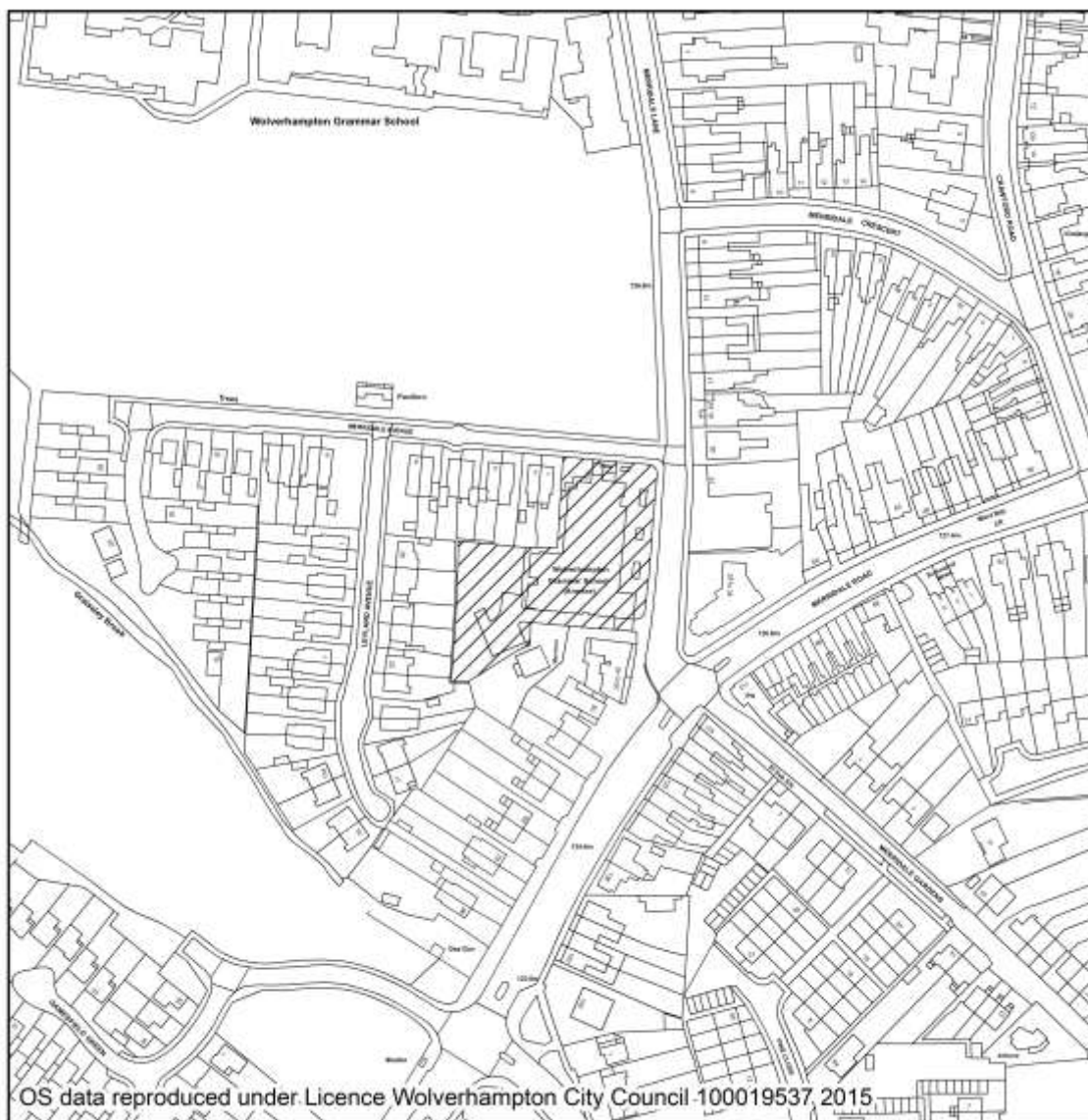
received and can be conditioned so that the car park is restricted to staff and performer use only.

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 15/00616/FUL be granted, subject to any appropriate conditions including:
- Tree protection
 - Travel plan
 - Staff and performer use only



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Planning Committee

29 September 2015

Planning application no.	15/00617/RC	
Site	Arts And Drama Centre, Merridale Lane, Wolverhampton	
Proposal	Removing conditions from a previous planning permission – Variation of conditions 12 and 14 of planning permission 05/1029/FP/M (two storey arts and drama facility) to allow use by non-school groups and increase evening performances up to a maximum of 75 in a year.	
Ward	Park	
Applicant	Wolverhampton Grammar School	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Service Director	Nick Edwards, City Assets	
Planning officer	Name	Andrew Johnson
	Tel	01902 551123
	Email	andrewk.johnson@wolverhampton.gov.uk

1. Background

- 1.1 This application was deferred from the previous meeting in order for the committee members to carry out a site visit and to allow the submission of an updated travel plan.

2. Summary Recommendation

- 2.1 Grant subject to conditions.

3. Application site

- 3.1 The application site is the Arts and Drama Centre for Wolverhampton Grammar School located on Merridale Lane. The building includes classrooms and a drama performance facility.

4. Application Details

- 4.1 Variation of conditions 12 and 14 of planning permission 05/1029/FP/M to allow use by non-school groups and increase evening performances up to a maximum of 75 in a calendar year.

Planning history

5.1 Relevant planning history:

15/00616/FUL - Alterations and extensions to car park to create an additional 20 spaces
- Application under consideration.

05/1029/FP/M - Brincars Citroen, Merridale Lane - Arts & drama facility for
Wolverhampton Grammar School, comprising a two storey building, six parking spaces
and associated landscaping. Granted by Planning Committee 26 September 2005.

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)

7. Publicity

7.1 Eight letters of objection have been received. Reasons for objection include impact on amenity and highway safety.

8. Consultees

8.1 Transportation – No objections.

8.2 Environmental Health – No objections. The building is well designed acoustically.

9. Legal Implications

9.1 There are no legal implications arising from this report KR/10092015/I

10. Appraisal

10.1 The premises forms part of the Wolverhampton Grammar School. The current planning permission allows the school evening use of the building for up to 20 performances in a calendar year. No other groups are currently permitted to use the building.

10.2 It is typical for communities to use school facilities for non-curricular/education activities. Many school sites provide facilities for scouting/guide organisations, dance groups, swimming clubs, fitness classes, sporting and entertainment organisations. These activities do not override the principle use as a school and, due to their limited usage, are ancillary to the lawful use of the building as an educational facility.

10.3 The proposals would allow ancillary use by non-school groups. Evening performances would be limited up to a total of 75 performances in a calendar year (this figure includes use by school and non-school groups).

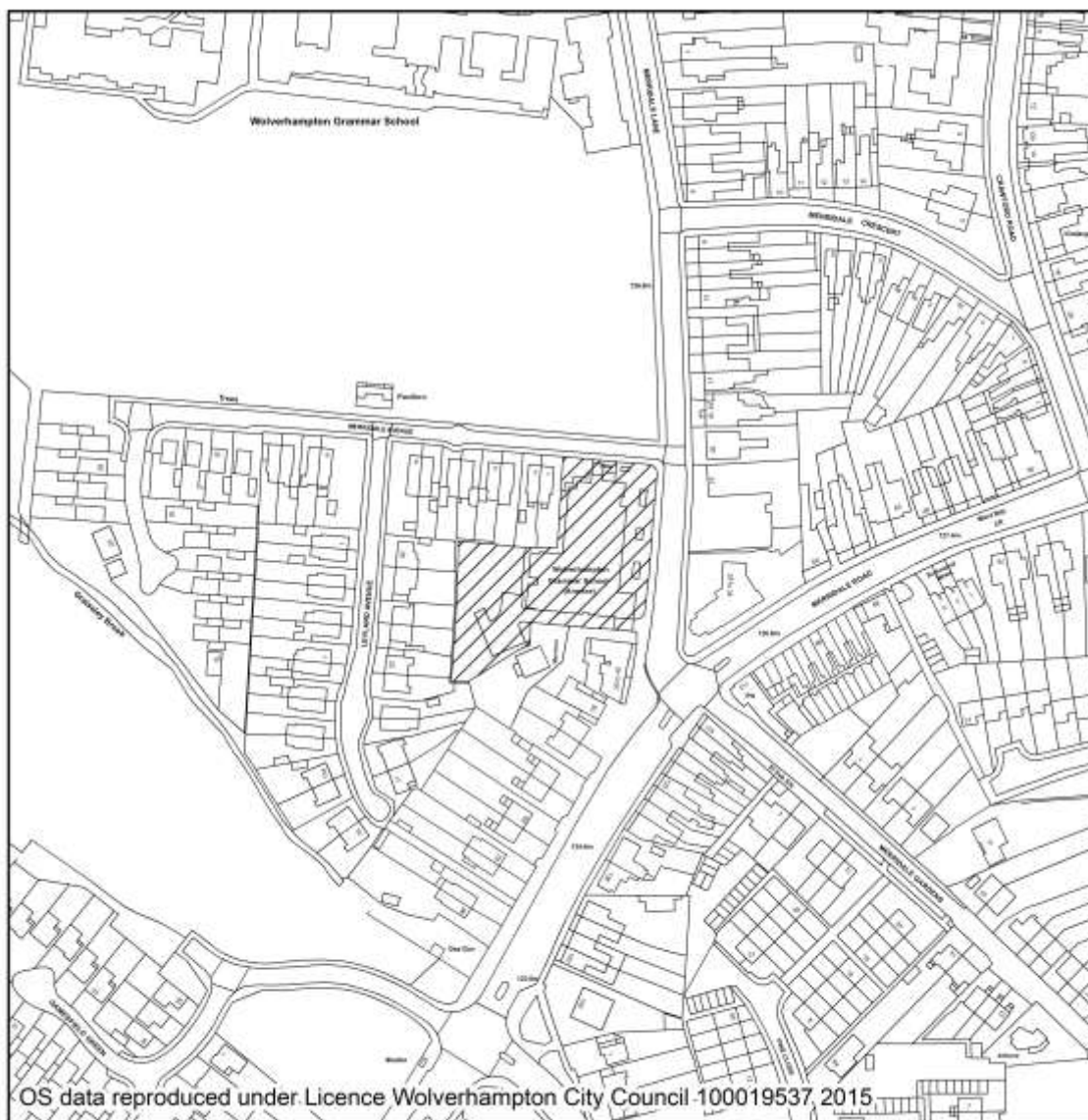
- 10.4 The building includes acoustic treatment that adequately protects amenity for nearby residents. The increase in evening performances would not cause undue impact on amenity.
- 10.5 In order to deter parking on the highway, patron parking for evening performances is currently managed by the school and takes place on the main school site. This is controlled by planning condition and is also subject to an approved travel plan. A revised travel plan has been submitted and would be conditioned so that this arrangement continues. Further there is a separate planning application under consideration for alterations and extensions to the existing rear car park to create an additional 20 staff/performer spaces.

11. Conclusion

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

12. Detailed Recommendation

- 12.1 That planning application 15/00617/RC be granted, subject to any appropriate conditions including:
- Ancillary use (no changes of use from education facility)
 - No more than a total of 75 evening performances in a calendar year
 - Hours of operation
 - Obscurely glazed rear windows
 - Travel plan
 - Accordance with approved acoustic report



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Planning Committee

29 September 2015

Planning application no.	15/00872/FUL
Site	270 Newhampton Road East, Wolverhampton WV1 4AW
Proposal	External security shutters to shopfront
Ward	St Peters
Applicant	Mr M Aftab
Agent	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Colin Noakes Tel 01902 551124 Email Colin.noakes@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Refuse.

2. Application site

- 2.1 The application property is in a prominent position on the corner of Newhampton Road East and Paget Street. This two storey end terrace building is located within the Park Conservation Area.
- 2.2 The ground floor of the building is currently a letting agency with residential apartments above. The shopfront consists of a display window and entrance door on the Newhampton Road East frontage with a further two display windows facing Paget Street.

3. Application details

- 3.1 The application is for full length external 'punched lath' security shutters to all display windows and the entrance door.

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. Legal Implications

- 5.1 There are no legal implications arising from this report (LD/02092015/A)

6. Appraisal

- 6.1 The key issues to be considered when determining this application are:
 - Shopfront Design
 - Impact on the conservation area

Shopfront Design

- 6.2 The Council does not support the use of external security shutters unless there are sufficient extenuating circumstances. This is due to the adverse effect they have on the appearance of the property and the general streetscene. The proposed shutter box and guide rails would appear as a crude addition to this attractive shopfront, even when the shutters were open. When closed the shutters would present a blank and forbidding appearance creating a deadening effect on the streetscene, thus promoting the fear of crime. Consequently the use of external shutters contributes to the negative perceptions visitors have of the City.
- 6.3 Where it can be proven there is a severe and persistent crime problem which could be alleviated by the use of external shutters, then they have been permitted. Although no evidence has been submitted with the application to justify the need for shutters, the applicant has advised that there have been two recent incidents. The first involved the breaking of the glass within the shopfront and the second was an arson attack at the rear of the property. Although the shutters may have prevented the first attack they would not have prevented the arson attack on the property. Consequently, it is not considered there is enough evidence to suggest there is a persistent vandalism problem at the property.

Impact on the conservation area

- 6.5 The property is within the Park Conservation Area. The Council has a statutory duty under section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 to ensure all proposed development in conservation areas either preserves or enhances the character of the conservation area.
- 6.6 Due to the bulky and crude façade, the external shutters would create, they would fail to preserve or enhance the character and appearance of the conservation area. Therefore, the proposed shutters fail to meet the statutory requirement and would not preserve or enhance the character or appearance of the conservation area.

7. Conclusion

- 7.1 The proposed external shutters are of a poor design and will appear as bulky and crude additions to the shopfront. The shutters when closed would present a blank and forbidding appearance creating a deadening effect on the streetscene, thus promoting the fear of crime. The proposed development also fails to preserve or enhance the features that contribute positively to the character and appearance of the conservation area in which the property sits.

8. Detailed Recommendation

- 8.1 That planning application 15/00872/FUL be refused for the following reason:
- The proposed external shutters are of a poor design and will appear as bulky and crude additions to the shopfront. The shutters, when closed, would present a blank and forbidding appearance creating a deadening effect on the streetscene, thus promoting the fear of crime. The proposed development also fails to preserve or enhance the features that contribute positively to the character and appearance of the conservation area in which the property sits. The proposed development is therefore contrary to Black Country Core Strategy policies ENV3 Design Quality and CSP4 Place Making and UDP policies D3 Urban Structure, D4 Urban Grain, D6 Townscape and Landscape, D9 Appearance and HE5 Control of Development in a Conservation Area.



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Planning Committee

29 September 2015

Planning application no.	15/00374/FUL
Site	Garage Site Behind 76 To 84 Snape Road, Wolverhampton
Proposal	Provision of Garages (Shipping Containers)
Ward	Wednesfield North
Applicant	Mr Singer
Agent	Mrs Sheila Porter
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
Planning officer	Name Tracey Homfray Tel 01902 555641 Email Tracey.homfray@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Grant subject to a satisfactory coal mining risk assessment if necessary and conditions.

2. Application site

- 2.1 The application site is part of a former council owned garage court accessed off Snape Road.

3. Application Details

- 3.1 The application is for 31 garages, of which nine will be pre-fabricated and 22 will be formed from shipping containers. The boundary treatment is to remain as existing, except along the northern boundary which will be secured fencing to be agreed. A new lock will be fitted to the existing entrance gates.

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 Four letters of objection have been received on the following planning grounds:.

- Impact on amenity
- Access unable to cope with traffic,
- Increased traffic
- Out of character
- Overshadowing
- Visually unacceptable
- Noise pollution
- Fear of crime/anti-social behaviour.

6. Internal Consultees

6.1 Environmental Health: conditions regarding hours of operation during construction, and there should be no commercial letting or commercial activity within the site.

6.2 Transportation: no objections.

7. External Consultees

7.1 Coal Authority – Awaiting Response

8. Legal Implications

8.1 There are no legal implications arising from this report (KR/10092015/S).

9. Appraisal

9.1 The application site is part of a garage court located off Snape Road. The site is currently secure, and all garages to this part of the garage court, have now been demolished.

9.2 There would be no material change of use. The continued use of the site as a garage court would not be unduly harmful to highway safety or amenity.

9.3 The site has been derelict for a long time, and bringing back the usage would improve the appearance of the area. Whilst much of the site cannot be directly viewed from the public realm, the area can be clearly viewed from neighbouring properties and so their maintenance can be conditioned.

9.4 The site has a lockable gate in order to secure the site from any anti-social behaviour or crime.

10. Conclusion

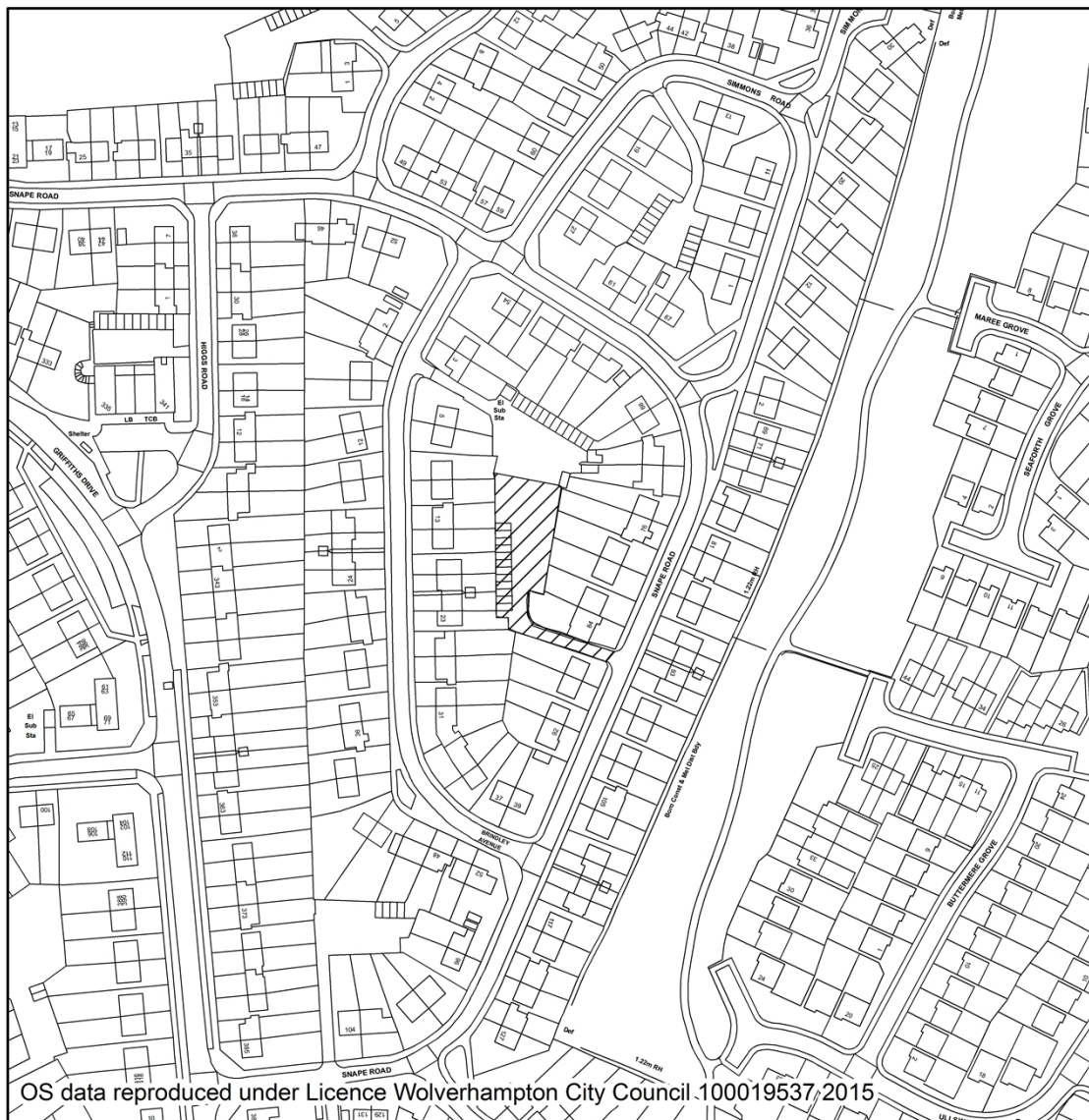
10.1 Subject to conditions as recommended, the development would be acceptable and in accordance with the development plan.

11 Detailed Recommendation

11.1 That planning application 15/00374/FUL be granted, subject to a satisfactory coal mining risk assessment if necessary and any appropriate conditions including:

- Garage court use (no commercial letting or commercial activity)
- No vertical stacking of containers (single storey only)
- Boundary treatments
- Materials/Maintenance
- Security
- Hours of construction

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Planning Committee

29 September 2015

Planning application no.	15/00727/FUL		
Site	Former garage site behind 3 to 23 Lower Vauxhall		
Proposal	Erection of house		
Ward	Park		
Applicant	Mr Gavinder Sangha		
Agent	Mr Philip Taylor		
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity		
Accountable director	Nick Edwards , Service Director, 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 situated to the rear of properties in Parkdale East and Lower Vauxhall. The site formerly housed garages which have now been demolished. Access to the properties is via The Beeches and the site is within the Park Conservation Area.
- 2.2 The surrounding area is characterised by residential development. A row of two storey terraces fronts onto Lower Vauxhall with flats/apartments another prominent land use in the locality.

3. Application Details

- 3.1 This application is for the erection of one house, primarily single storey with projecting gable elements situated to the rear of the site.
- 3.2 Planning application 05/0835/FP/R for the erection of two dwellings was approved by Planning Committee at its meeting on 2 August 2005. One of the dwellings was built albeit incorrectly and subsequently demolished. Therefore, that property (situated to the

front of the site) still has planning permission and this application seeks to obtain permission for the second property situated at the rear.

4. Planning History

- 4.1 05/0835/FP/R Erection of two dwellings Granted 15 August 2005
- 4.2 04/2053/FP/R Erection of two dwellings Refused 17 January 2005

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 No.3 – Residential Development

6. Publicity

- 6.1 A petition with 7 signatures has been received objecting to the proposal. The following issues have been raised:
 - Parking issues/restricting parking to existing properties
 - House previously built incorrectly
 - An existing access now closed off Lower Vauxhall

7. Legal Implications

- 7.1 When an application is situated in or affects the setting of a Conservation Area in accordance with Sections 72 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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. KR/17092015/R.

8. Appraisal

- 8.1 The proposal for the erection of a house situated to the rear of the site comprises a coach house style property with gable elements. The eaves level of the property is primarily at single storey. The proposal is considered to enhance the character and appearance of the Conservation Area and is acceptable in this respect.
- 8.2 The proposed house design comprising gable elements is positioned at right angles to the houses in Lower Vauxhall and whilst some overlooking may occur, due to its orientation in relation to neighbouring properties, their amenities are not adversely affected by this proposal. Furthermore, the separation distances are within the guidelines of the Supplementary Planning Guidance and the proposal is considered acceptable in this respect.

- 8.3 The access to the site is via The Beeches as a previous access off Lower Vauxhall has been closed off. As the development would not generate significant vehicular movements and the house has adequate parking provision, the access and parking arrangements are considered to be acceptable.

9. Conclusion

- 9.1 The proposal would bring back into use this former garage site and now untidy piece of land with the erection of a house. This would improve the current appearance of the land and improve the quality of the character and appearance of the Conservation Area. As such the proposal is considered acceptable.

10. Detailed Recommendation

- 10.1 That planning application 15/00727/FUL be granted subject to any appropriate conditions including:
- Approval and submission of all materials and joinery
 - Sample panel of external brickwork including mortar type, mix and pointing finish
 - Large scale architectural details
 - Site investigation
 - Removal of permitted development rights
 - Restrict first floor windows facing properties in Lower Vauxhall
 - Operational hours



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Planning Committee

29 September 2015

Planning Application No	15/00715/FUL	
Site	Henleaze, Stockwell End	
Wards affected	Tettenhall Regis	
Applicant	Mr Brett Bernard	
Cabinet member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Accountable director	Nick Edwards, City Assets	
Originating service	Planning	
Accountable employee	Tom Podd	Planning Officer
	Tel	01902 555638
	Email	tom.podd@wolverhampton.gov.uk

Summary Recommendation:

The Committee is recommended to:

1. Grant subject to conditions

1.0 Application Site

- 1.1 The site is located on the corner of Stockwell End and Love Lane within the Tettenhall Greens conservation area. There is an existing bungalow on the site with access from Love Lane.

2.0 Application Details

- 2.1 The application is for the demolition of the existing bungalow and the erection of a new five bedroom house with a double garage and new access from Stockwell End.

3.0 Relevant Policy Documents

- National Planning Policy Framework

- Black Country Core Strategy
- Wolverhampton Unitary Development Plan
- Tettenhall Neighbourhood Plan
- SPG 3 Residential Development

4.0 Publicity

4.1 16 letters of objection have been received on the following grounds:

- Impact on the conservation area and listed building (Stockwell End Cottage)
- Neighbour amenity
- Drainage
- Traffic and access

4.2 Amended plans were received that reduced the scale of the proposed dwelling and reduced the length of development along Love Lane. A balcony was added to the rear of the property. Neighbours and those that objected have been re-consulted.

5.0 Consultees

Transport – No objections

Environmental Health – Recommend a condition limiting operational hours during demolition and construction

6 Legal Implications

6.1 When an application is situated in or affects the setting of a Conservation Area by virtue of Sections 72 and 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. KR/16092015/K

7.0 Appraisal

7.1 The key issues to consider are the impact on the character of the conservation area and neighbour amenity.

Impact on the conservation area and listed building

7.2 The immediate area has a mixture of properties varying in scale and appearance. There is no clear established building line. The existing bungalow is set in a large corner plot. The proposed dwelling would not appear out character with the scale and layout of buildings in the area. The proposed dwelling reduces in height along Love Lane in order to respect the smaller scale of buildings within this part of the conservation area.

7.3 The design and appearance of the dwelling would preserve the character and appearance of the conservation area and there would be no harm to the setting of the listed building.

Impact on neighbour amenity

7.5 The proposed dwelling whilst being significantly larger than the existing bungalow would not have any significant harmful impact on neighbour amenity. There is a twenty metre distance between 27 Love Lane and the proposed dwelling. There would be no undue loss of outlook, overbearing impact or loss of privacy. The side facing window serves a dressing room and can be conditioned to be obscurely glazed.

7.6 25 Love Lane is positioned side-on to the proposed dwelling. The main living room window faces south with number 25 also angled slightly away from the application site. The proposed garage is a large double garage measuring 5.6 metres to the ridge. The application site is also one metre higher than 25 Love Lane. Although the garage projects forward of number 25; there is a separation distance of eight metres. There will be no undue impact on the amenity of the occupier of 25 Love Lane.

7.7 The relationship with the neighbouring care home is acceptable.

7.8 Drainage

A number of neighbour comments identified issues with inadequate drainage in the area. The replacement of an existing bungalow with a house would not adversely impact on this. The new access drive will be conditioned to be constructed of permeable materials.

7.9 Highways

There would be sufficient space for parking and no significant increase in traffic arising from the new dwelling.

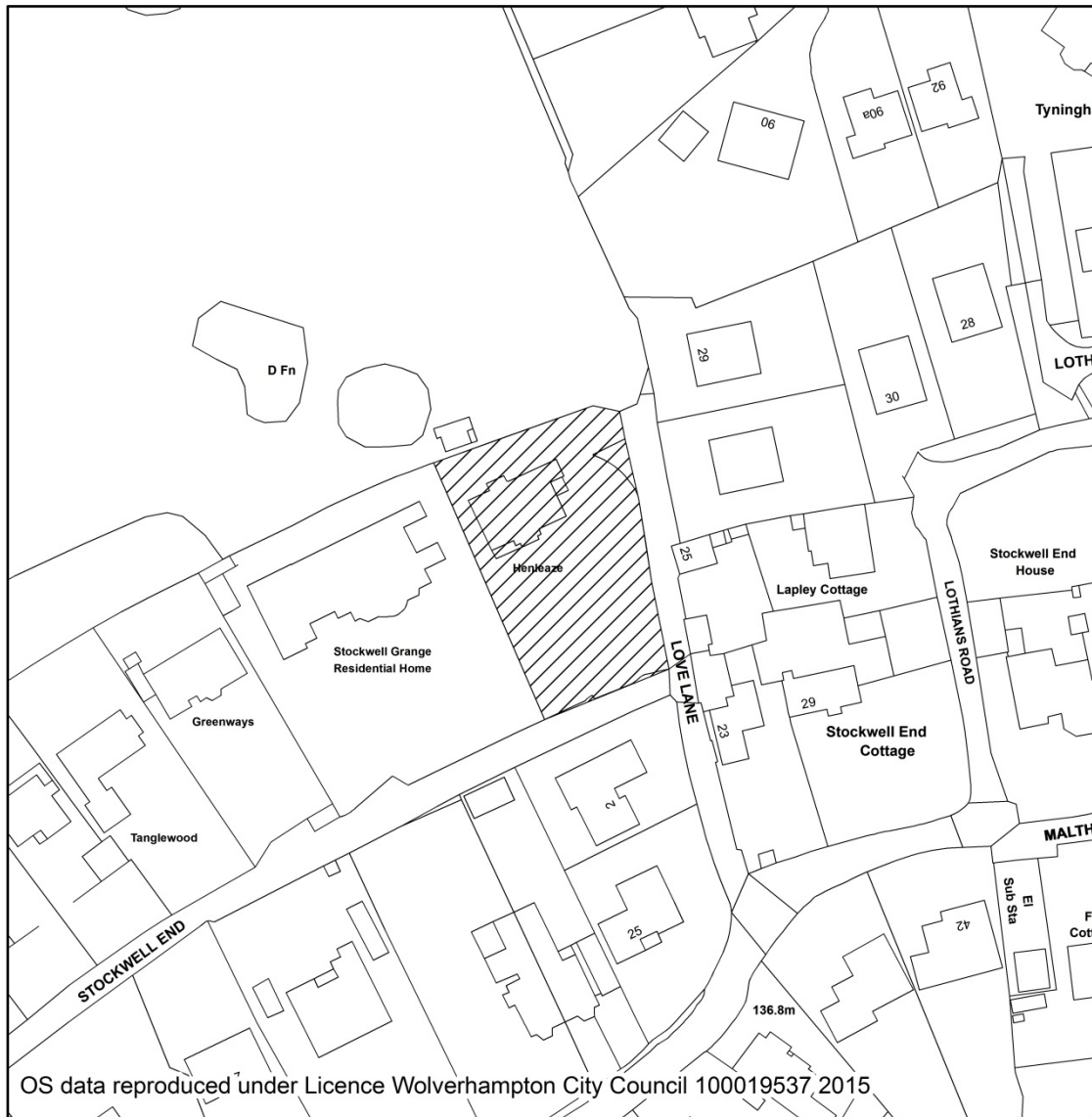
8.0 Conclusion

8.1 The principle of a replacement dwelling is acceptable. There would be no undue adverse impact on neighbour amenity. The proposed dwelling preserves the character of the conservation area.

9.0 Detailed Recommendation

9.1 Grant planning permission subject to conditions including:

- Materials
- Landscaping (including boundary treatments and hard surfaces)
- Large scale architectural drawings
- Removal of pd for side facing windows/obscure glazing
- Operational hours





Planning Committee

29 September 2015

Planning application no.	15/00518/FUL
Site	Land at Tettenhall College, Wood Road, Wolverhampton
Proposal	Proposed erection of Extra Care Accommodation (30 one bedroom and 28 two bedroom apartments) for the elderly, communal facilities, landscaping and car parking; Provision of new parking area and 2 Multi Use Games Areas.
Ward	Tettenhall Wightwick
Applicant	YourLife Management Services Ltd
Agent	Miss Lisa Matthewson -The Planning Bureau Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
Planning officer	Name Paul Lester Tel 01902 555625 Email paul.lester@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Refuse.

2. Application site

2.1 The development site is located within the Tettenhall Greens Conservation Area. The site is an irregular rectangle shape, currently occupied by a tarmac car park and tennis courts. The site forms the south western part of Tettenhall College. Mature trees, protected by a Tree Preservation Order are located throughout the site.

3. Application Details

3.1 This full planning application seeks to redevelop the site to provide a part three part four storey building consisting of 58 (one and two bedroom) apartments with communal facilities (residents' lounge, dining room, staff accommodation, refuse store, mobility scooter charging points, guest suite and outdoor space) and 27 car parking spaces.

- 3.2 The application also proposes the provision of two multi-use games areas and replacement car park (37 spaces) to serve the college.
- 3.3 The applicant, YourLife Management Services Limited, are McCarthy & Stone's managing agent and care operator for its Assisted Living Extra Care schemes.

4 Planning History

- 4.1 No relevant planning history.

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)
Tettenhall Neighbourhood Plan (TNP)

SPG 3 Residential Development
Tettenhall Historic Landscape Character Study

6. Publicity

- 6.1 A total of 30 representations and a 20 person petition have been received of which, 26 object and four support. The objections are summarised as follows:

- Disruption caused by building work/construction traffic;
- Loss of trees/woodland, open space and view of college/Smestow Valley;
- Traffic congestion/access into the college;
- Detrimental to conservation area/listed buildings;
- Over development, height and density of building;
- Inadequate parking;
- Visual impact, not in keeping with surrounding area;
- Undesirable precedent;
- Surface water flooding;
- Loss of privacy;
- No need for the development lack of support via consultation exercise;
- Contrary to development plan and neighbourhood plan;
- Loss of wildlife; and
- Detrimental impact on Tettenhall village centre.

- 6.2 The content of the representations in support is summarised as follows:

- Would meet a need in Tettenhall;
- Provide new quality care; and
- Would release larger properties for families and younger people;

7. Internal Consultees

- 7.1 Environmental Health, Transportation, Landscape, Ecology – See appraisal

8. Legal Implications

- 8.1 When an application is situated in or affects the setting of a Conservation Area in accordance with Sections 72 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 possess.

9. Appraisal

- 9.1 The key issues are:

- Requirement for affordable housing
- Impact on the Tettenhall Greens Conservation Area
- Impact on Listed Buildings
- Scale
- Highways and parking
- Ecology
- Landscaping and trees
- Drainage
- Need for the development
- Multi-use games area
- Open space
- Community Consultation
- Planning conditions

Requirement for affordable housing

- 9.2 The applicant's view is that the proposed development would fall under Use Class C2 "Residential Institutions" for which there is no policy requirement for the provision of affordable housing. However, this stance is not supported by the evidence. Rather, the proposed self-contained flats for sale (leasehold) would fall within Use Class C3 "Dwellinghouses", for which there is a policy requirement for 25% affordable housing.
- 9.3 The applicant states that the application proposal is not a care home but because residents would be required to sign up for a care package. The applicant supports this view with a legal opinion from their barrister and examples of where other Councils have accepted their argument.

- 9.4 The minimum care package would comprise one hour per week of domestic assistance (which is part of the service charge). There would be the option for residents to purchase additional care tailored to their needs. There would be on site staff that could provide 24 hour care.
- 9.5 The self-contained nature of the flats and the minimal nature of the compulsory care package lead to the conclusion that the development would fall within Use Class C3 and would not be a residential institution falling within Use Class C2.

Impact on the Tettenhall Greens Conservation Area

- 9.6 The pattern of development along Wood Road is mixed, with large buildings to the southwest and northeast (the college and the hospital) and housing to the north and west. The proposed building would relate to the other large buildings on the southwest of and would be predominantly seen behind the stone wall and trees that define this section of the road. The open nature of the site does not contribute positively to the character and appearance of the Conservation Area. On that basis, the proposed development would preserve the character and appearance of the Tettenhall Greens Conservation Area.

Impact on Listed Buildings

- 9.7 There are two Grade II* and one Grade II Listed Buildings that are part of the College. These are all some distance from the application site and are visually separated from it. The proposed development would therefore not affect their setting or significance. There is a Grade II listed wall which runs along Wood Road, however the development does not propose to alter the wall and the development is set back to a sufficient distance as to not alter its significance.

Scale

- 9.8 Although large, the architectural treatment of the proposed building would break it into human scale elements so that it would be in keeping with the surrounding area, creating a different, but not unacceptable street scene.

Highways and Parking

- 9.9 The proposed parking provision of 27 spaces and a mobility scooter storage area are acceptable. The development would require a pedestrian crossing on Wood Road close to the existing access and footway widening between the entrance to the development and the proposed crossing location, which could be required by condition if planning permission were to be granted.
- 9.10 A separate parking area with 37 spaces is proposed to serve the multi-use games areas, which would be accessed through the College grounds. This arrangement would be acceptable.

Ecology

- 9.11 An Extended Phase 1 Habitat Survey alongside Bat and Badger Surveys were submitted as part of the application. All are satisfactory subject to appropriate conditions.

Landscaping and trees

- 9.12 A detailed landscaping scheme has been submitted as part of the application, which would provide good quality amenity space.
- 9.13 The proposed tree removal and the landscaping strategy are acceptable. There are over 150 trees on the site and the vast majority will be retained, with only poor quality trees being removed. There is a proposed no build zone to protect the Ancient Woodland, which would be required by condition if permission were granted.

Drainage

- 9.14 Severn Trent Water have no objection to the proposal and drainage could be adequately controlled via a condition if permission were granted.

Need for the development

- 9.15 There is no requirement for the applicant to demonstrate need. However, the Tettenhall Neighbourhood Plan has identified a need for smaller housing and apartments for the elderly.

Multi-use games area

- 9.16 Environmental Health have commented that the applicant has not given due regard to the potential for disturbance to occupiers of the proposed apartments. The applicant has been advised to re-orientate the pitches to increase the separation distance to at least the 12 metres advised by Sport England. The agent has indicated that amended plans will be submitted for Committee to consider.

Open Space

- 9.17 Tettenhall Neighbourhood Plan Policy TNP14 Part A specifies a general presumption against development which causes harm to the character, setting, accessibility, appearance, general quality or amenity value of open spaces, unless the community will gain equivalent benefit from open space improvements or the provision of replacement open space. The site is immediately adjacent to identified open space. The provision of the proposed multi-use games areas would satisfy this policy requirement.

Community Consultation

- 9.18 The Tettenhall Neighbourhood Plan requires the developer to undertake pre-application consultation with an appropriate cross-section of local people and to report the process in the form of a Report of Community Involvement. The pre-application consultation carried out by the applicant met this requirement.

Planning Conditions

- 9.18 If permission were granted, there would be a policy requirement for conditions to secure the following:
- Pedestrian crossing on Wood Road and footway widening between the entrance to the development
 - 10% renewable energy
 - Targeted recruitment and training

10. Conclusion

The application is unacceptable because it does not make an affordable housing provision contrary to Policy HOU3 of BCCS. It is also considered that the proximity of the multi-use games areas will seriously detract from the amenity of residents.

11. Detailed Recommendation

11.1 That the application is **REFUSED** for the following reasons:

The proposed block of self-contained apartments would fall within Class C3 “dwellinghouses” of the Town and Country Planning (Use Classes) Order 1987 (as amended). BCCS policy HOU3 requires the provision of 25% affordable housing for such developments but no such provision is proposed. The development is therefore contrary to BCCS Policy HOU3.

The proposed multi-use games areas, due to its siting in close proximity to the proposed residential apartments would seriously detract from the amenity of these residents. The proposal is therefore contrary to UDP Policies EP1, EP4, EP5, and R10.

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Planning Committee

29 September 2015

Planning application no.	15/00497/FUL and 15/00832/FUL	
Site	Tettenhall Wood Special School, School Road	
Proposal	Erection of six houses at the rear of the site (15/00497/FUL) and conversion and extension of the former Victorian school building to create seven houses and the erection of two pairs of semi-detached houses (15/00832/FUL)	
Ward	Tettenhall Wightwick	
Applicant	Codsall Developments	
Agent	Lewis Architecture Limited	
Cabinet Member with lead responsibility	Councillor Peter Bilson City Assets	
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 conditions and completion of a Section 106 agreement.

2. Background

- 2.1 Planning Committee resolved on 2 June to defer a decision on application 15/00497/FUL to allow the applicants to submit an alternative scheme to include the retention of the former Victorian school building and an improved design for the proposed houses at the rear of the site, to better respect neighbours' amenity, with particular regard to 16 Woodland Avenue.

3. Application site

- 3.1 Tettenhall Wood Special School is on the corner of School Road and Tanfield Close. The school closed in 2010 and all the buildings other than the Victorian 'L' shaped building on the School Road frontage have been removed. To the north, east and west are the rear gardens of surrounding housing. To the south-east is Tettenhall Wood local centre.

4. Application Details

15/00497/FUL

- 4.1 The application proposes six semi-detached, two storey, three bedroomed houses, backing onto the rear gardens of houses on Woodland Avenue. Each house would have two in-curtilage parking spaces.
- 4.2 This application has been amended since it was previously reported to Planning Committee. Although the houses remain two storey, the flank wall of the end house (plot 12) is no longer to be positioned immediately alongside the boundary with the rear garden of 16 Woodland Avenue. Instead the side wall of plot 12 would be sited two metres further away from the boundary and 22 metres from the rear elevation of 16 Woodland Avenue.

15/00832/FUL

- 4.3 The application proposes the retention, conversion and extension of the 'L' shaped Victorian school building to create seven houses, with bedrooms in the roof space and a small private garden at the front and rear.
- 4.4 Within the centre of the site and at the rear of the Victorian school building, on land now cleared of buildings, it is proposed to erect two semi-detached pairs of two storey houses with rear gardens backing onto the rear gardens of housing on Woodland Avenue. There would be a private residents' car park to the front including 18 car parking spaces, with access off Tanfield Close.

5. Planning History

- 5.1 15/00092/DEM. Demolition of Tettenhall Wood Special School excluding Victorian School building at the front. Decision dated 23.02.2015. Prior approval not required in respect of the proposed method of demolition.

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)
Tettenhall Neighbourhood Plan
- 6.3 Other relevant policy documents:
SPG No.3
Tettenhall Historic Landscape Character Study

7. Publicity

- 7.1 The Tettenhall Neighbourhood Plan Group supports and welcomes the amended proposals which are in accordance with the policies of the Tettenhall Neighbourhood Plan.

- 7.2 Two letters of objection. Comments summarised as follows: Detrimental to neighbour amenity and highway safety. Inappropriate design. Overdevelopment. Buildings are too tall. Detrimental to historic assets.

8. Internal Consultees

- 8.1 Transportation – No objections subject to conditions requiring the provision of no waiting restrictions on Tanfield Close and the removal of the existing school Traffic Regulation Order on School Road.
- 8.2 Environmental health – No objections subject to conditions requiring a contaminated land investigation and implementation of necessary mitigation measures, hours of construction and management plan, satisfactory noise attenuation between dwellings in the converted school building and provision of bin stores.

9. Legal Implications

- 9.1 There are no direct legal implications arising from this report KR/10092015/K.

10. Appraisal

- 10.1 Policy TNP10 of the Tettenhall Neighbourhood Plan seeks the retention of the 'L' shaped section of the Victorian school building which fronts onto School Road. It identifies the Tettenhall Wood Special School site as suitable for up to ten dwellings, including a mixture of housing types. The proposals include for the retention of the Victorian School building. Although the development would provide for seventeen dwellings, it has been demonstrated that the site can satisfactorily accommodate this number of dwellings.
- 10.2 The layout, appearance and impact on neighbours' amenity would be acceptable.
- 10.3 The applicant is seeking a reduction in S106 obligations on the grounds of a lack of viability.
- 10.4 It would be appropriate to reduce the S106 requirements 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 house prices making the development viable.

11. Conclusion

- 11.1 Subject to conditions and a S106 as recommended, the proposal would be acceptable and in accordance with the Development Plan.

12. Detailed Recommendation

- 12.1 That the Service Director for City Assets be given delegated authority to grant planning applications 15/00497/FUL and 15/00832/FUL subject to:

1. A S106 agreement for the following (if the development is sufficiently financially viable):
 - 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) and 10% renewable energy on a pro-rata basis for any dwellings that are ready for occupation within three years of the date that non-viability is confirmed with the full requirement applying to those that are not ready for occupation by that date.

If the development is not fully financially viable:

A reduction in Section 106 requirements (except for Targeted recruitment and training, management company and highway works) commensurate with the shortfall in viability on a pro-rata basis for all dwellings 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 dwellings that are not ready for occupation by that date.

2. Subject to any appropriate conditions including:
 - Materials
 - Refurbishment and future maintenance of bell tower
 - Levels
 - Landscaping
 - Boundary treatments
 - Construction management plan
 - No construction outside hours of 0800-1800 including Monday-Friday, 0800-1300 Saturdays and at no times on Sundays or Bank Holidays
 - Drainage
 - Tree protection measures
 - Provision and retention of car parking
 - Cycle/motorcycle parking
 - No windows in side elevations of dwellings at plots 18, 11, 12 and 17
 - Noise attenuation between houses in converted school building
 - Bin stores
 - Contaminated land site investigation
 - Highway works: Provision of no waiting restrictions on Tanfield Close and the removal of the existing school Traffic Regulation Order on School Road

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