

Planning Committee

19 April 2016

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

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

Conservative

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:

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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 | 16/00098/RC Aldi Goldthorn Hill Wolverhampton West Midlands WV2 3HP
(Pages 11 - 14)
To determine the application. |
| 6 | 16/00115/FUL Wolverhampton Grammar School, Compton Road (Pages 15 - 20)
To determine the application. |
| 7 | 15/01423/FUL Grove Lane, Tettenhall (Pages 21 - 24)
To determine the application. |
| 8 | 16/00032/FUL 34 Westport Crescent, Wolverhampton (Pages 25 - 28)
To determine the application. |
| 9 | 15/01306/FUL Land to the rear of 32 and 33 Quail Green (Pages 29 - 34)
To determine the application |
| 10 | 15/01421/FUL Land at Cross Street North (Pages 35 - 42)
To determine the application. |
| 11 | 13/00791/FUL Sutherland Wharf, Old Heath Road (Pages 43 - 48)
To determine the application. |
| 12 | 16/00208/FUL Former Wood Hayes Pub, land north of 434 Wood End Road, Wolverhampton (Pages 49 - 52)
To determine the application. |
| 13 | 15/00011/TPO First Finchfield Scout Group Kingsclere Walk (Pages 53 - 56)
To confirm the order. |

- 14 **16/00107/FUL Caerleon Surgery, Dover Street, Wolverhampton (Pages 57 - 60)**
- 15 **Exclusion of Press and Public**

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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

Employees

Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Martyn Gregory	Section Leader
Andy Carter	Senior Planning Officer
Jenny Davies	Senior Planning Officer
Andrew Johnson	Planning Officer
Colin Noakes	Planning Officer
Tim Philpott	Lead Transport Officer
Phillip Walker	Planning Officer
Penny Williams	Interim Democratic Services Manager

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies for absence**

Apologies were received from Councillor Yardley.

2 **Declarations of interest**

There were no declarations of interest.

3 **Minutes of the previous meeting**

Resolved: That the minutes of the meeting held on 1 December 2015 be confirmed as a correct record of the meeting and signed by the Chair.

4 **Matters Arising**

There were no matters arising from the minutes of the meeting held on 1 December 2015.

5 **15/01198/FUL 6 Fairview Road**

The Committee received a report regarding application 15/01198/FUL, 6 Fairview Road. The purpose of the report was an application for a single storey side extension to create a new retail unit.

Councillor S Evans addressed the Committee and spoke in opposition of the application.

In response to questions regarding its use, the Committee were advised that extraction would be included in planning conditions.

Resolved: That planning application 15/01198/FUL be granted, subject to any appropriate conditions including;

- Ventilation and extraction
- Materials
- Restrict first use to either Class A1/A2/A3
- Hours of opening restricted to between 0700 hours and 2100 hours Monday to Saturday and between 1000 hours and 1700 hours Sunday and Bank Holidays.

6 **15/01370/FUL 89 Winchester Road**

Prior to the item being discussed Councillor Hardacre disclosed a non pecuniary interest as the applicant was an ex pupil and withdrew from the meeting whilst the item was being considered.

The Committee received a report regarding application 15/01370/FUL, 89 Winchester Road. The purpose of the report was an application for a single storey rear and side extension and outbuilding within the rear garden.

Ms M Martin addressed the Committee and spoke in opposition of the application.

Miss T Hill addressed the Committee and spoke in support of the application.

The Committee discussed the background to application and recognised the need for an application to be submitted in advance of work commencing.

Resolved: That planning application 15/01370/FUL be granted, subject to any necessary conditions.

7 **15/01219/FUL 82 Codsall Road**

The Committee received a report regarding application 15/01219/FUL, 82 Codsall Road. The purpose of the report was an application for the enlargement of an existing bedroom over the garage.

Resolved: That planning application 15/01219/FUL be granted, subject to any appropriate conditions including;

- Matching materials
- The side window to be fixed, Pilkington level 4 obscurely glazed
- No additional windows or other form of opening above ground floor level shall be introduced into the side elevation

8 **15/01422/FUL Land adjacent to Halfway House, 115 Tettenhall Road**

The Committee received a report regarding application 15/01442/FUL, land adjacent to the Halfway House, 115 Tettenhall Road. The purpose of the report was an application for an apartment development for 20 flats.

Ms E Stone addressed the Committee and spoke in opposition of the application.

Planning Officer, Phillip Walker responded in respect of the access issues raised to the effect that there would be sufficient parking for the size of the development and that the proposals did not pose a highway safety risk.

The Transport Officer addressed the committee and explained that the level of parking generated by 20 flats would be unlikely to have a significant impact on surrounding traffic flows and safety. He was not of the opinion that the risk was over and above that of the previous use and there was not a significant risk of collision.

The Committee discussed the issues surrounding the volume of vehicles using the junction and the impact that the traffic had on the surrounding roads, especially at peak times. Further that vehicles turning right across the flow of traffic at the exit to the car park would only exacerbate existing traffic problems. However, it was noted that the proposals would bring into use a disused site that was within a conservation area.

In response to questions the Planning Officer explained that a detailed drainage scheme would have to be submitted. Further, that the three storey building would be in line with other properties of that type and that it stepped down at the rear, reducing to two storeys. Moreover, the trees that would be removed were not the best specimens and their loss would be mitigated by the provision of replacement tree planting.

In response to points raised by the Committee, the Transport Officer advised that he was awaiting a response from the Department of Transport regarding signage that would tell drivers to 'turn left only'.

It was moved and seconded that subject to the response Department of Transport the Director of City Assets be given delegated authority to either approve or refuse the application.

Resolved:

1. That the Director of City assets be given delegated authority to either approve or refuse the application subject to the response of the Department of Transport.
2. Should the Department of Transport not agree to the 'turn left only' signage at the exit of the site the Director of City Assets be given delegated authority to refuse planning application 15/01422/FUL. Or;
3. Should the Department of Transport agree to the 'turn left only' signage at the exit of the site the Director of City Assets be given delegated authority to grant planning application 15/01422/FUL subject to

If the development is financially viable:

- (i) A Section 106 planning obligation for the following
 - £53,392 off-site open space contribution to be spent on improvements to West Park
 - Five affordable housing units
 - 10% renewable energy
 - Management company for communal areas
 - Targeted recruitment and training

If the development is not fully financially viable:

A reduction in Section 106 requirements (except for target recruitment and management company) commensurate with the shortfall in viability on a pro-rata basis for all flats 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.

(ii) any appropriate conditions including:

- Materials;
- Landscaping;
- Tree protection measures;
- Construction management plan;
- Drainage
- 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
- Boundary treatments
- Provision and retention of car parking and cycle/motorcycle parking
- Existing ground levels and proposed finished ground floor levels
- Bin stores
- Obscure glazing for en-suite bathroom windows for upper floor flats numbered 11, 12, 13 and 19
- Ecological protection measures
- Car park signage.
- 'Left turn only' signage and road markings to deter right hand turns

- External lighting
- Privacy screen for balcony serving flat 19

9 **15/0991/FUL 89 Allen Road**

This item was withdrawn.

10 **15/00827/RC Woodthorne, Wergs Road**

The Committee received a report regarding application 15/00827/RC, Woodthorne, Wergs Road. The purpose of the report was an application for a variation of condition 14 of 13/01174/RC to insert clear glazing in the south elevation of the apartment block, and Privacy Glazing Level 1 in the north elevation.

The Committee discussed the level of obscurity that was required and concurred that level 1 was not appropriate and did not give the level of privacy required. Moreover, the glass should be replaced with level 4 as per the conditions in application 13/01174/RC.

Resolved: That the application be refused due to the loss of privacy to the neighbouring property.

11 **15/01306/FUL Land at the rear of 32 and 33 Quail Green**

This item was deferred.

12 **15/01356/FUL Land adjacent to 47 Braden Road**

The Committee received a report regarding application 15/01356/FUL, land adjacent to 47 Braden road, Wolverhampton. The purpose of the report was an application for the erection of one three bedroomed detached bungalow.

Mr D Williams addressed the Committee and spoke in opposition of the application.

The Planning Officer advised the Committee that the site had been fenced off for some time and was suitable development.

Resolved: That planning application 15/01356/FUL be granted, subject to any appropriate conditions including;

- Submission of materials
- Landscaping
- Drainage details
- Hours of construction
- Air Quality

13 **15/01392/REM Former Pennfields Special School, Birches Barn Road**

The Committee received a report regarding application 15/01392/REM, Former Pennfields Special School, Birches Barn Road, Wolverhampton. The purpose of the report was a proposal for reserved matters – residential development comprising 37

dwellings (including matters of access, layout, scale and appearance and excluding landscaping) and pursuant to outline permission 14/01123/OUT.

The Committee was advised that one additional objection had been received.

Resolved: That approval be granted subject to the following conditions;

- Submission of sample materials
- Remove PD rights for rear boundary fencing for plots 16 to 19
- Obscure glazing in apartments

14 **15/01340/FUL Plots F and N, Bilston Urban Village, Dudley Street/Carder Crescent**

The Committee received a report regarding application 15/01340/FUL, Plots F and N, Bilston Urban Village. The purpose of the report was an application for the erection of 78 dwellings at land adjacent to Carder Crescent and Dudley Street, Bilston.

Resolved: That the Strategic Director Place be given delegated authority to grant planning application 15/01340/FUL subject to:

- (i) Submission of a satisfactory tree survey, revised house types and tracking details for turning heads;
- (ii) Resolution of Coal Authority and drainage objection;
- (iii) Completion of a Section 111 to obligate the developer to enter into a S106 agreement on taking possession of the land to secure:
 - 20 units of affordable housing
 - Off-site contribution of £30,000 for open space
 - Management company
- (iv) Any necessary conditions to include:
 - Materials
 - Canal towpath improvements
 - Land contamination
 - Drainage
 - Vehicular and pedestrian visibility splays
 - Construction management plan
 - Electric charging points
 - Vibration levels during construction
 - Tree root protection measures
 - Boundary treatments
 - Landscaping
 - 10% renewable energy
 - TRO extension on Dudley Street

15 **Exclusion of Press and Public**

Planning Committee

Tuesday, 19 April 2016

Planning application no.	16/00098/RC	
Site	Aldi Goldthorn Hill Wolverhampton West Midlands WV2 3HP	
Proposal	Remove condition 6 from approval 10/00511/VV which states that only fresh perishable produce can be delivered on Sundays.	
Ward	Blakenhall;	
Applicant	Aldi Stores Limited	
Cabinet member with lead responsibility	Councillor Bilson Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Charlotte Morrison	Section Leader
	Tel	01902 551357
	Email	charlotte.morrison@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Approve the application to remove the condition.

2.0 Application site

2.1 The site is an existing food retail premises.

3.0 Application details

3.1 The application seeks to remove a condition applied to the development requiring only fresh, perishable produce to take place on Sundays within the hours of 0900 and 1200.

4.0 Relevant policy documents

4.1 The Black Country Core Strategy

4.2 Circular 11/95 – The use of conditions in planning permissions

5.0 Publicity

5.1 One objection has been received;-

- If allowed to deliver the balance of products on a Sunday there will be a massive increase in the number of delivery vehicles resulting in queuing on the car park to unload.
- Aldi have not utilised the extended delivery hours allowed in 2015.
- They could manage the additional delivery demand within the existing consent.

6.0 Legal implications

6.1 There are no specific legal implications arising from this report (LD/06042016/H)

7.0 Appraisal

Background

7.1 Conditions applied to planning permissions must be necessary, reasonable as well as enforceable, precise and relevant both to planning and to the development to be permitted.

7.2 Planning Permission was granted for the erection of a food retail store on 13th August 1993. In September 2010 permission was granted to vary a condition applied to the original permission to allow deliveries on a Sunday. In 2015 Committee approved extension of the hours allowed for deliveries on Sundays.

7.3 Condition 4 of the permission required that only deliveries of fresh perishable produce should take place on Sundays, the reason was to minimise the possibilities of conflict between customers and customers vehicles and the movement of delivery vehicles on the site and to minimise disturbance to adjoining residents.

The Legality of the Condition

7.4 No definition of fresh perishable produce is given within the condition and there is no legal definition. A number of items can be clearly thought of as fresh perishable such as milk, bread, eggs etc. Fresh could also be taken to mean refrigerated goods such as ready meals or meat. Almost anything which is not tinned or frozen could be arguably 'fresh' dependant on the definition used by the applicant. The condition is imprecise and the applicant cannot be clear about what is expected. Therefore, the condition fails to meet the relevant tests.

7.5 Notwithstanding the above the applicant has stated that loads are mixed produce. The condition seeks to limit the number of delivery vehicle movements. The partial unloading of a vehicle taking off only the fresh produce and leaving the remainder will not achieve this or any other planning objective. Indeed the remainder of the produce may be delivered at a different time creating an unnecessary vehicle movement.

8.0 Conclusion

8.1 The condition, as applied, is not precise and does not achieve the objective it set out to achieve. As such the application should be approved and the condition removed from the planning permission.

10.0 Detail recommendation

10.1 That planning application 16//0098/RC be granted

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Planning Committee

Tuesday, 19 April 2016

Planning application no.	16/00115/FUL	
Site	Wolverhampton Grammar School, Compton Road	
Proposal	New two storey Primary School with parking, playgrounds, car parking and artificial mini-football pitch including floodlighting Park;	
Ward		
Applicant	Wolverhampton Grammar School	
Cabinet member with lead responsibility	Councillor Peter Bilson Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Phillip Walker	Planning Officer
	Tel	01902 55 5632
	Email	phillip.walker@wolverhampton.gov.uk

1.0 Summary recommendation:

- 1.1 Delegated authority to grant subject to conditions.

2.0 Application site

- 2.1 The application is currently part of Wolverhampton Grammar School's playing pitches, located to the south of the main school buildings off Gamesfield Green, which is a cul-de-sac off Merridale Road, opposite the junction with Aspen Way. The northern site boundary adjoins Graiseley Brook and a landscaped bank, with protected trees, which rises up to the rear gardens of housing along Leyland Avenue and Merridale Avenue. Gamesfield Green and the rear gardens of houses in that road form the southern boundary.

3.0 Application details

- 3.1 A new Primary School is proposed that would accommodate 264 pupils aged four to eight years old.
- 3.2 The building would include twelve classrooms, a school hall and administrative space, over 2 storeys. It would have a curved shape, predominately constructed from timber under an aluminium roof and would front onto Gamesfield Green. Play areas would be to

the front (south), rear (north) and west of the building. An artificial mini-football pitch with floodlighting and a five-a-side grass football pitch would be further to the north-west.

- 3.3 Vehicular access to two car parks would be from Gamesfield Green. One would be at the western end of the cul-de-sac, with a shared access/egress and 24 parking spaces. The other would be to the east of the building, would have separate access and egress and 23 spaces as well as cycle parking. A segregated pedestrian access is also proposed.

4.0 Relevant policy documents

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

5.0 Publicity

- 5.1 63 letters of objection received including an objection from Councillor Craig Collingswood. Comments summarised as follows:
- Insufficient parking
 - Detrimental to highway and pedestrian safety
 - Loss of open space
 - Impact upon wildlife and trees
 - Poor design / detrimental to visual amenity
 - Impact upon neighbour's amenity; noise, disturbance, loss of outlook and privacy
 - Noise and external lighting from artificial pitch
 - Anti-social behaviour

6.0 Consultees

- 6.1 Environmental Health - No objections subject to conditions.
- 6.2 Transportation – No objection subject to conditions requiring car parking, waiting restrictions along Gamesfield Green, travel plan and highway improvements to the Merridale Road\Gamesfield Green\Aspen Way junction.
- 6.3 Sport England – No objection subject to conditions requiring the timely provision of compensatory sports facilities and an agreement to ensure the use of the sports facilities by the community.
- 6.4 Ecologist – No objection subject to implementing the recommendations of the ecology report.
- 6.5 Environment Agency – The proposed development has the potential to increase flood risk. A flood risk assessment should be submitted.

6.6 Severn Trent Water - No objection subject to drainage conditions.

6.7 Fire Service and Centro – Comments awaited.

7.0 Legal implications

7.1 There are no specific legal implications arising from this report (LD/06042016/C).

8.0 Appraisal

8.1 The key issues are:

- Principle of Development
- Loss of Playing Field
- Design
- Access and Parking
- Residential Amenity
- Flood Risk

Principle of Development

8.2 This is an established school site. Its redevelopment would therefore accord with HOU5 “Education and Health Care Facilities” which supports improvements to educational facilities in the City.

Loss of Playing Field

8.3 The proposals would result in the loss of a rugby/football pitch. As compensation for this loss it is proposed to accommodate a rugby pitch through the reconfiguration of existing playing fields to the north-west, and provision of a grass mini-football pitch and an artificial five-a-side floodlight pitch, which would be made available for use by the public, as required by Sport England. This can be required by condition. On that basis the proposals would comply with UDP policies R3 and R5.

Design

8.4 The scale of the proposed building would be appropriate in the context of nearby housing. It would front onto the Gamesfield Green and be acceptable in its detail. Landscaping would soften the visual impact of parking areas.

Access and Parking

8.5 The proposed parking provision would be sufficient to accommodate the likely staff and visitor demand for parking during the school day and for out of hours community/sporting use.

8.6 In the interests of ensuring highway safety and free flow of traffic, the approach to the school along Gamesfield Green needs to be kept clear of parked vehicles during the times when children are delivered and collected. A condition could require waiting restrictions on this section of the highway.

8.7 The development would intensify traffic movements, particularly at peak times, at the junction between Merridale Road, Gamesfield Green and Aspen Way. To be acceptable, junction improvements are required, which could be required by condition.

Residential Amenity

8.8 The building would be 24m from the nearest houses to the north at Leyland Avenue and 33m from the nearest houses to the south at Gamesfield Green and would be at a lower level than surrounding housing. Taking into account the separation distances and the intervening tree and fence screens, the building would not have an unacceptable shadowing or loss of light, privacy or outlook impact upon neighbours.

8.9 The artificial pitch is proposed to the west of the building adjacent to an existing, much larger artificial sports pitch with floodlighting. It would be 21m from the nearest dwellings at Leyland Avenue. To limit the impact of noise, light and general disturbance on surrounding housing, a restriction can be placed on the hours of use through a condition.

8.10 Play area (labelled 2 on the submitted drawings) and a car park would be close to housing on Merridale Avenue, Leyland Avenue and the rear garden of 98 Merridale Road. To mitigate noise disturbance, only two classes of children should be able to use play area 2 at any one time and a noise attenuation fence could be provided along this boundary. Similarly, an acoustic fence is required between the rear of housing on Gamesfield Green and the playground at the front of the building. The provision of acoustic fencing and a restriction on the number of classes of children that can use play area 2 at any one time can be conditioned.

Flood Risk

8.11 The proposed development has the potential to increase flood risk. A flood risk assessment is awaited.

9.0 Conclusion

9.1 The new school would improve educational provision and subject to the provision of compensatory sports facilities and the negative impacts on neighbours' amenity, highway safety and flood risk being satisfactorily mitigated the proposal would be acceptable and in accordance with the development plan.

10.0 Detail recommendation

10.1 That the Service Director of City Economy be given delegated authority to grant planning application 16/00115/FUL subject to:

- (i) Submission of an acceptable flood risk assessment
- (ii) Any appropriate conditions including:
 - Materials
 - Landscaping
 - Tree protection measures

- Construction management plan
- Drainage
- 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
- Builder's compound/accommodation
- Boundary treatments, including fencing of artificial pitch
- Provision and retention of car, cycle and motorcycle parking
- Existing ground levels and proposed ground and finished ground floor levels
- Bin stores
- Ecological protection measures
- 10% renewable energy
- External lighting
- Flood lighting for new artificial turf pitch shall not operate after 21.00 hours Monday to Saturday and not at all on Sundays and bank holidays.
- Compensatory playing field provision
- Community use agreement for sports provision
- The grass football pitch to be constructed in accordance with the Football Foundations' Technical Design Guidance Note Natural Grass Pitches
- Noise insulation for plant and machinery
- Acoustic fencing
- Deliveries and the collection on refuse to be restricted to 07:00 to 18:00 Monday to Friday
- Contaminated land mitigation, including venting details for gas dispersal
- Highway improvements to the Merridale Road, Gamesfield Green and Aspen Way junction
- Travel Plan
- Waiting restrictions along Gamesfield Green
- Only two classes of children to use play area 2 at any one time



Planning Committee

Tuesday, 19 April 2016

Planning application no.	15/01423/FUL	
Site	5 Grove Lane, Tettenhall	
Proposal	Conversion of a single dwelling into two dwellings with two storey side and rear extensions. Alterations to existing garage to accommodate four vehicles.	
Ward	Tettenhall Wightwick;	
Applicant	Mr Simon Tranter	
Cabinet member with lead responsibility	Councillor Peter Bilson Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Sukwant Grewal	Trainee Planner
	Tel	01902 551676
	Email	sukwant.grewal@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

2.1 The application site is located within a residential area. It comprises a two storey detached house, positioned on the back edge of pavement and fronting on to Grove Lane. The land to the rear falls away steeply and adjoins the rear gardens of houses at Forton Close.

2.2 The site is within the Tettenhall Wood Conservation Area. This part of the conservation area is characterised by large houses set within large plots.

3.0 Application details

3.1 The application proposes a conversion of the existing house into two 3 bedrooled houses with two storey side and rear extensions. The existing garage would be altered to accommodate four vehicles. Each dwelling would have two off road car parking spaces.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
Tettenhall Neighbourhood Plan
- 4.3 Other relevant policy documents:
SPG No.3
Tettenhall Historic Landscape Character Study

5.0 Publicity

- 5.1 Five representations received – Concerns about impact on residential amenity, including overlooking and loss of privacy, overdevelopment of the plot, flood risk, drainage and impact upon conservation area, parking, highway and pedestrian safety.

6.0 Consultees

- 6.1 Transportation – No objections

7.0 Legal implications

- 7.1 When an application is situated in or affects the setting of a Conservation Area in accordance with Section 72 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.(LD/29032016/B)

8.0 Appraisal

- 8.1 The proposed rear extensions would be approximately thirty metres away from the nearest houses at Forton Close, and be satisfactorily screened from those houses by fencing, shrubs, bushes and trees.
- 8.2 The design and appearance of the proposed extensions would be in keeping with the existing dwelling. The extensions would not compromise the spacious character of the plot and the provision of additional windows and fenestration to the front elevation and the removal of the external flue from the flank wall would improve the appearance of the building. Overall, the proposals would enhance the character and appearance of the Conservation Area.
- 8.3 There would be sufficient off-road car parking provision to accommodate likely demand and there would be no detriment to highway and pedestrian safety.

9.0 Conclusion

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

10.0 Detail recommendation

10.1 Grant subject to conditions relating to external materials, drainage, boundary treatments and removal and relocation of external flue.



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Planning Committee

Tuesday, 19 April 2016

Planning application no.	16/00032/FUL	
Site	34 Westport Crescent, Wolverhampton	
Proposal	Single storey front extension and canopy	
Ward	Wednesfield South;	
Applicant	Mr C Hodgetts	
Cabinet member with lead responsibility	Councillor Peter Bilson Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Sukwant Grewal	Trainee Planner
	Tel	01902 551676
	Email	sukwant.grewal@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Refuse.

2.0 Application site

2.1 The application site comprises a two storey semi-detached dwelling situated at a corner location between Westport Crescent and Lyndale Drive.

3.0 Application details

3.1 The proposal is for a single storey front extension and canopy. The extension will provide additional living room space. It will project 1.125 metres forward of the front elevation and extend the full width of the front of the house.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

- 4.3 Other relevant policy documents:
Supplementary Planning Guidance No.4 (Extension to Houses)

5.0 Publicity

- 5.1 One letter of objection has been received from the adjoining occupiers at 32 Westport Crescent. The concerns include a loss of outlook, poor design, breach of the building line and detrimental to the street scene.

6.0 Legal implications

- 6.1 There are no specific legal implications arising from this report LD/29032016/A

7.0 Appraisal

- 7.1 The proposed extension and canopy would unduly project forward of the front elevation of the house at this prominent corner location, causing harm to the character and appearance of the street scene and appearing dominant and obtrusive in relation to surrounding properties.
- 7.2 The extension and canopy would be positioned immediately adjacent to the ground floor living room window of 32 Westport Crescent. By virtue of scale, height and position it is considered that the extension and canopy would unacceptably affect the outlook presently enjoyed by the occupiers of that house.

8.0 Conclusion

- 8.1 The proposals would have a detrimental impact upon the character and appearance of the existing building and street scene and result in an unacceptable loss of outlook for the occupiers of 32 Westport Crescent. The proposals are not in accordance with the policies of the development plan.

9.0 Detail recommendation

- 9.1 Refuse for the following reasons:

The proposed extension and canopy would unduly project forward of the front elevation of the house at this prominent corner location to the detriment of the visual appearance and character of the house and street scene, contrary to UDP policies D6, D9 and BCCS policies ENV3 and CSP4 and SPG 4.



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Planning Committee

Tuesday, 19 April 2016

Planning application no.	15/01306/FUL	
Site	Land to the rear of 32 and 33 Quail Green	
Proposal	Three detached houses	
Ward	Tettenhall Wightwick;	
Applicant	Pietro Corbelli	
Cabinet member with lead responsibility	Councillor Peter Bilson	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Andy Carter	Senior Planning Officer
	Tel	01902 551132
	Email	andy.carter@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

2.1 The application site was formerly part of the rear garden of 15 Tinacre Hill, and is now a largely cleared site. An access has been created from Quail Green, following the demolition of the garage belonging to 32 Quail Green. The site is approximately 0.25 hectares, slopes upwards from north to south, and has five protected trees. The surrounding area is residential.

3.0 Application details

3.1 The proposals are for three detached houses; one four bedroom and two five bedroom houses, each with a double garage, and two parking spaces. A further single garage would be located at the rear of 32 Quail Green for that property. One protected silver birch tree would be removed.

4. Planning History

- 4.1 14/00982/OUT– Four houses in the rear garden of 15 Tinacre Hill, proposed access from Quail Green refused 08.10.2014.

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)

6. Publicity

- 6.1 Seven objections have been received, summarised below:

- Increase in traffic
- Lack of footway along access road
- Inappropriate access
- Loss of privacy/overlooking
- No provision for waste collection
- Drainage issues
- Loss of trees

- 6.2 One supporting comment has been received, summarised below:

- Appropriately spaced houses
- Redevelopment of vacant site

7. Legal Implications

- 7.1 There are no direct legal implications arising from this report. (LD/30032016/B)

8. Appraisal

- 8.1 The key issues are:-

- Principle of Development
- Transport
- Neighbour amenity
- Street Scene
- Loss of Protected Tree

Principle of Development

- 8.2 The site is vacant and has a vehicle access from Quail Green. The layout shows three houses in large plots similar to the density of development at Rookwood Drive and Quail Green. Having been previously cleared of shrubs and undergrowth the land performs little amenity function for the surrounding area. Other examples of infill development have occurred along Tinacre Hill. A modest residential development is acceptable in this location.

Transport

- 8.3 The access to the site is sufficient width for two cars to pass. Three houses would not generate a number of car trips to have a significant impact on the highway. The gates on the access road will ensure a low speed of vehicles entering and exiting the site, consequently a pedestrian footway is not necessary. Bins would be collected from within the access road from a demarcated area. The current 1.8m close boarded fence alongside the access road and the front garden of 32 Quail Green would be reduced to 0.6m to allow necessary visibility for exiting vehicles.

Neighbour Amenity

- 8.4 The distance from the front of the houses at plots 1 and 2 to the rear of 32 and 33 Quail Green is approximately 26m. This is in excess of the 22m minimum required by the Council's SPG and takes account of the levels difference between the proposed and existing. The blank gable wall of the proposed house at plot 3 is 20m from 33 Quail Green, ensuring no overlooking.
- 8.5 The rear part of the garden at 33 Quail Green would be approximately 12m from the front of the house at plot 2. The substantial leylandii planting at the rear of 33 Quail Green would give some screening to negate overlooking. The positioning of a single garage at the rear of 32 Quail Green would eliminate any overlooking of that rear garden.
- 8.6 Positioning the gable wall of plot 1 level with 15 Rookwood Drive means that there would be no loss of privacy or light for either the existing or proposed houses.
- 8.7 The movement of vehicles using the access road would have some impact on the amenity of 32 and 33 Quail Green. The close boarded fence alongside the access road would offer a level of visual screening to these existing properties. The loss of amenity would be less than significant.

Street scene

- 8.8 Visibility of the three houses from Quail Green would be limited to secondary views beyond 32 and 33, and down the access road. The presence of the access road in the street scene when viewed from Quail Green would not be unduly harmful in design terms and is similar to the small cul-de-sac accessed from the turning head at the end of Quail Green. Wrought iron gates would secure the access road, placed in line with the front elevation of 32 Quail Green.
- 8.9 The development when viewed from Rookwood Drive would appear as a recessive continuation, following the building line of the houses on that road.

Loss of protected tree

- 8.10 The proposed location of the garage for the house at plot 2 would result in the loss of a protected silver birch. The applicant has agreed to replace this with two flowering trees at a location visible from the access road. No other protected trees would be removed.

9. Conclusion

- 9.1 Subject to conditions the proposal would be acceptable and in accordance with the development plan.

10. Detailed Recommendation

- 10.1 That planning application 15/01306/FUL be granted, subject to any appropriate conditions including:
- Materials;
 - Landscaping;
 - Boundary treatments
 - Hours of construction;
 - 0800 to 1800 Monday to Friday,
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
 - Removing permitted development rights for upper floor windows in the east elevation of plot 3
 - Bin store details
 - Lighting
 - Drainage



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Planning Committee

Tuesday, 19 April 2016

Planning application no.	15/01421/FUL	
Site	Land at Cross Street North	
Proposal	Incinerator Bottom Ash Recycling Facility	
Ward	Bushbury South and Low Hill;	
Applicant	LabGeodur UK Ltd	
Cabinet member with lead responsibility	Councillor Peter Bilson	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Andy Carter	Senior Planning Officer
	Tel	01902 551132
	Email	andy.carter@wolverhampton.gov.uk

1.0 Summary recommendation:

- 1.1 Delegated authority to grant subject to a Section 106 agreement.

2.0 Application site

- 2.1 The application site comprises a vacant piece of former industrial land of 2.2ha in size. The site is bounded by the Cannock Road, Cross Street North, a waste transfer station, and the Wolverhampton Canal. The surrounding uses are predominantly industrial. The Wolverhampton Locks Conservation Area forms the eastern boundary. Listed canal locks are immediately east of the site.

3.0 Application details

- 3.1 An Incinerator Bottom Ash Recycling facility is proposed. The facility would have the capacity to recycle up to 150,000 tonnes per annum of Incinerator Bottom Ash (IBA). IBA is a non-hazardous leftover product when household and industrial waste is incinerated to generate electricity. IBA would be delivered by HGV to the site from the Wolverhampton incinerator and similar facilities in Stoke and Dudley. IBA is a mixture of materials rather than an ash. It includes ferrous and non-ferrous metals, brick, glass, rubble, concrete and ceramic. The recycling process would produce an aggregate which is used in the construction industry.

3.2 The buildings on site would comprise a storage bay area and a processing plant. Access would be via Cross Street North. A landscape strip and staff amenity area would be located on the southern portion of the site fronting Cannock Street. An acoustic green wall is proposed alongside the canalside boundary. The facility would employ ten people on a part time basis.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
Stafford Road Corridor Area Action Plan (AAP)

5.0 Publicity

- 5.1 Two objections have been received, summarised as follows:
 - Congestion on Cross Street North
 - Waste blown from site
 - Threat to public safety
 - Limited vehicular access

6.0 Consultees

- 6.1 Environment Agency – no objection
- 6.2 Canal & River Trust – comments awaited
- 6.3 Transport and Environmental Health see main body of report.

7.0 Legal implications

- 7.1 Planning obligations must meet the following tests. They must be:
 - a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.(LD/05042016/A)

8.0 Appraisal

- 8.1 The key issues are:-
 - Principle of Development
 - Layout

- Amenity
- Heritage and Archaeology
- Transport
- Renewable Energy
- Section 106 Agreement

Principle of Development

- 8.2 The BCCS supports the recycling and re-use of waste material rather than disposal by landfill. This in principle policy support is also established in the NPPF.
- 8.3 The site is allocated within the AAP as an Employment Development Opportunity and is within an area of Local Quality Employment Land. Policy SRC1 identifies waste collection, transfer and recycling uses as acceptable, and is further supported by BCCS policy EMP3. Waste developments are assessed against the locational policy WM4. The aim of the policy is to direct waste facilities towards the most appropriate locations, generating maximum benefits, subject to social and environmental considerations, and where possible using previously developed land.
- 8.4 Immediately to the north of the site is the Wolverhampton incinerator and waste transfer station. The introduction of a further waste facility that recycles product from the incinerator has co-location and sustainability benefits.

Layout

- 8.5 At the centre of the site would be three buildings for storage of the IBA, laid out in a 'v' shape around a central yard. The buildings would have a maximum height of 11.37m. Two of the buildings would have floor space dimensions of 61.5m x 10m the third would be 18m x 20m. Each building would be open fronted onto the central yard to allow receipt, storage and transfer of IBA. By virtue of the layout the central yard operations would not be visible from outside the site, thus providing some screening from noise.
- 8.6 To the north of the site would be the process building housing the machinery and plant to separate the recyclable materials from the IBA. Its external dimensions would be 75.5m wide by 31.1m deep and a height of 12.3m. To the north east of the process building would be an area for external storage of the aggregate retrieved from the IBA, and any non-recyclable product. Stockpiles would have a maximum height of 8m, reducing in scale towards a 5m high acoustic green wall alongside the canal. The scale of the proposal is akin to large canalside industrial uses, and is consistent with, though considerably smaller than, the size of the incinerator to the north.
- 8.7 An area of landscaping and amenity space for staff at the southern part of the site would offer some visual screening to the gateway frontage onto Cannock Road, and the Canalside Quarter to the south.

Amenity

- 8.8 The closest dwellings to the site are 80m to the east on Badger Drive. The applicants have demonstrated that the proposed facility would not have a significant impact on the amenity of residents either by noise, odour or dust. The majority of noisy operations

would take place either within the process building, or within the central yard. The acoustic cladding to the process building, and the 5m acoustic wall would further limit noise impacts to sensitive receptors. Odour from IBA is negligible, whilst any dust would be managed by mitigation measures including dampening down of the waste product.

- 8.9 The Environment Agency would be the environmental regulator of the facility and have advised they have no objection to the proposals. The proposal is compatible with neighbouring uses owing to distance separation, building design and operational management.

Heritage and Archaeology

- 8.10 There is a statutory requirement to preserve or enhance the conservation area and have special regard to the desirability of preserving the setting of the listed structures. Any harm to the heritage assets must be measured against the public benefits of the proposals as set out in para 134 of the NPPF.
- 8.11 The proposals would introduce a 5m high green wall alongside the Wolverhampton Locks Conservation Area and listed canal locks. The green wall would be planted with common ivy to form a green edge to the conservation area. The positioning of the wall would be set away from the lock structures thus minimising the harm. Towards the north of the site existing deciduous trees would offer a green buffer between the IBA mounds and the conservation area. The buildings would be clearly visible from the conservation area, but would be of an industrial scale in keeping with the context of the land on the west side of the canal, and consistent with the previous use of the site as a steel works. The harm to the conservation area and listed locks is less than significant.
- 8.12 The public benefits of the proposals including recycling, redevelopment of a brownfield site, and a reduction in IBA landfill, outweigh the less than significant harm to the heritage assets.
- 8.13 Remains of two former canal basins are within the site. These have been capped to prevent any future ground contamination. The proposed position of the buildings means that the canal basins could be reopened in future if required.

Transport

- 8.14 The figures shown in the Transport Assessment are quoted as being the worse-case scenario and indicate two vehicle movements in and two vehicle movements out of the Cannock Road \ Cross Street North junction per hour. Owing to the relatively low number of movements into and out of the site per hour the additional impact on the road network at this location should not be significant despite existing congestion. Staff parking totalling 14 spaces is sufficient for staff plus any visitors.
- 8.15 A highway improvement line along Cannock Road includes a strip of land on the southern edge of the site. The applicants have agreed to transfer ownership of a 15m land strip to support the improvement line, which would enhance walking, and cycling along Cannock Road as well as remodelling the junctions with Cross Street North and Cambridge Street.

Renewable Energy

- 8.16 There would be 155sqm of photo voltaic panels on the process building making a contribution towards the renewable energy requirements set out in policy ENV7 of the BCCS.

Section 106 Agreement

- 8.17 The applicant has agreed to enter into a legal agreement securing the transfer of a 15m land strip on the southern portion of the site as part of a highway improvement line along Cannock Road. The applicant has also agreed to provide a commuted sum equal to £360 per annum for ten years, enabling the Council to maintain the landscaping on the land strip. If the highway improvement scheme has not been commenced ten years from a successful planning decision the control of the land would revert back to the previous owners. These requirements meet the tests for planning obligations.

9.0 Summary

- 9.1 The proposed development makes use of a previously developed site. It would locate a waste recycling facility alongside an existing IBA generator, processing and recycling waste close to the source, and minimising the use of landfill. The design, layout and mitigation measures would negate amenity impacts for the nearest residents to the site. The green wall would offer a measure of visual separation between the site and the heritage assets on the eastern boundary. The less than substantial harm to the conservation area and the listed locks are outweighed by the public benefits of the facility. On balance therefore the proposals are acceptable and in accordance with the Development Plan.

10.0 Detail recommendation

- 10.1 That the Strategic Director Place be given delegated authority to grant planning application 15/01421/FUL subject to:
- (i) A Section 106 agreement for the following:
 - Transfer of 15m land strip for highway improvement scheme
 - £360 per annum maintenance sum for landscape works at land strip
 - (ii) any appropriate conditions including:
 - Use restricted to IBA and no other waste activity
 - No additional openings in process building
 - Details of external loading hopper
 - Materials;
 - Landscaping including the land strip transfer;
 - Boundary treatments including 5m green wall;
 - Lighting layout
 - Drainage details

- Hours of construction:
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
- Hours of processing and handling of IBA on site:
 - 0700 to 2100 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
- Hours of deliveries and despatch:
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
- Additional hours for maintenance operations only:
 - 1300 to 1700 Saturdays



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Planning Committee

Tuesday, 19 April 2016

Planning application no.	13/00791/FUL	
Site	Sutherland Wharf, Old Heath Road	
Proposal	Residential development including parking and landscaping	
Ward	Heath Town;	
Applicant	Mr & Mrs Bridgewood	
Cabinet member with lead responsibility	Councillor Peter Bilson	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Andy Carter	Senior Planning Officer
	Tel	01902 551132
	Email	andy.carter@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Delegated authority to grant subject to a Section 106 agreement.

2.0 Application site

2.1 The site currently operates as a scrap yard. It is bounded by the Wyrley and Essington Canal, Old Heath Road, the Jolly Collier Public House and the Walsall/Wolverhampton goods railway line. The surrounding area is a mixture of employment and residential.

3.0 Application details

3.1 The proposals are for the demolition of the scrapyards and erection of 24 flats (8 one bed and 16 two bed) and five terrace houses (each two bed). Parking spaces would total 29 for the apartments and one space per house. Amenity space would be in front of the apartments towards the canal. Access to the development would be from Old Heath Road.

4.0 Planning history

4.1 Construction of 36 apartments – granted – 23.12.08

5.0 Relevant policy documents

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

6.0 Consultees

- 6.1 Canal and River Trust, Network Rail and Environmental Health: no objections subject to conditions
- 6.2 West Midlands Police: no objections

7.0 Legal implications

- 7.1 The tests for when section 106 obligations can be required are set out below:
 - (i) necessary to make the development acceptable in planning terms
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.(LD/04042016/A)

8.0 Appraisal

- 8.1 The key issues are:-

- Principle of Development
- Layout and amenity
- Transport
- Section 106 Agreement

Principle of Development

- 8.2 The principle of housing on the site is acceptable, and was established by the previous planning consent in 2008. The area to the north of the canal is subject to the Heathfield Neighbourhood Plan which seeks housing renewal and delivery. The proposed development would complement this strategic approach.

Layout

- 8.3 The flats have been designed to achieve a single aspect internal layout; thus negating the noise impact from the industrial activities on the south side of the railway line. There is an area of amenity space in front of the flats which would allow views towards the canal. A further nine flats would front the canal and back onto the five terraced houses. The back to back distance is 12m but this is acceptable due to the flats being single aspect and therefore not creating an issue of overlooking for the houses.
- 8.4 The houses have in curtilage parking and a 55sqm garden meeting SPG3 standards.

Transport

- 8.5 The site is in a sustainable location with easy access to frequent bus services into the city centre and towards Wednesfield. Parking ratios of one space per dwelling plus seven visitor spaces are acceptable. Covered cycle parking for the flats could be secured by condition.

Section 106 Agreement

- 8.6 There is a policy requirement for the following to be secured through a Section 106 agreement:

- Off-site open space contribution - £66,697
- 25% affordable housing
- 10% renewable energy
- Targeted recruitment and training

These requirements meet the legal test for section 106 obligations.

- 8.7 The applicants have submitted a financial viability appraisal demonstrating that the development is not sufficiently viable to fund the normal Section 106 requirements. In this circumstance it is appropriate to waive the Section 106 requirements for renewable energy and open space contribution on a pro-rata basis, for each dwelling that is ready for occupation within three years from the date that the lack of viability was demonstrated.

9.0 Conclusion

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

10.0 Detail recommendation

- 10.1 That the Strategic Director Place be given delegated authority to grant planning application 13/00791/FUL subject to:

- (i) A Section 106 agreement for the following:

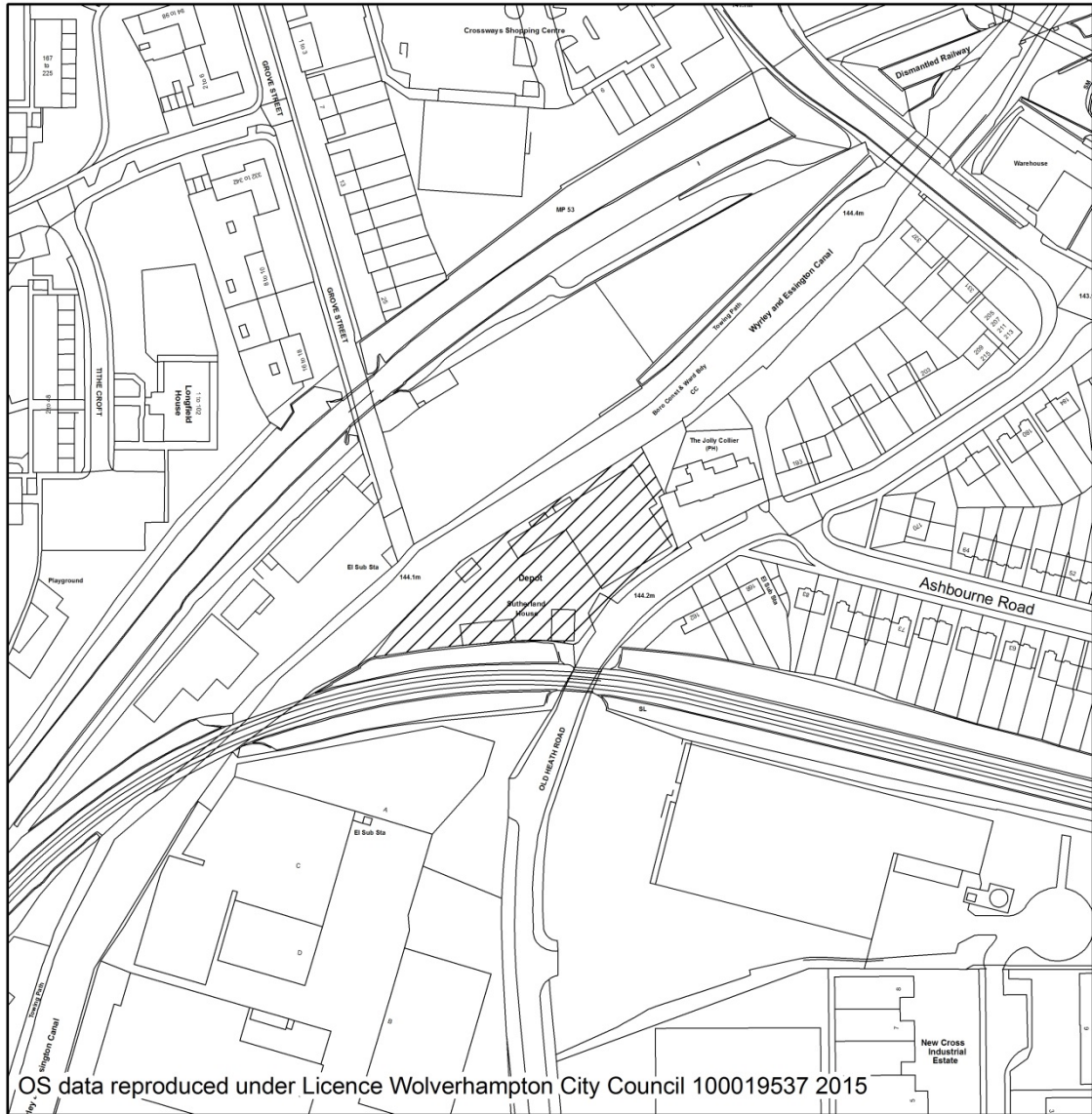
25% affordable housing
Targeted recruitment and training

Pro-rata off-site open space contribution and 10% renewable energy provision for all dwellings that are not ready for occupation within 3 years of the date that a lack of viability was established

- (ii) any appropriate conditions including:

- Materials;
- Landscaping;
- Boundary treatments;
- Construction Management Plan including method statement and risk assessment for works alongside operation railway land;

- Acoustic glazing on or at right angles to Old Heath Road for habitable rooms
- Acoustic trickle vents on or at right angles to Old Heath Road for habitable rooms
- Covered cycle parking
- Details of bin store
- Completion of highway works prior to first occupation
- Lighting layout
- Drainage details
- Contaminated land investigation and remediation
- Details of any works within 3m of the canal's offside wall
- 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

Tuesday, 19 April 2016

Planning application no.	16/00208/FUL	
Site	Former Wood Hayes Pub, land north of 434 Wood End Road, Wolverhampton	
Proposal	14 one-bed residential flats for adults with long term conditions, accommodation for a carer, with shared facilities plus office space	
Ward	Fallings Park;	
Applicant	Aaron Slevin, Bromford Housing Group	
Cabinet member with lead responsibility	Councillor Peter Bilson	
Accountable Director	Tim Johnson, Strategic Director, Place	
Originating service	Planning	
Accountable employee	Jenny Davies	Senior Planning Officer
	Tel	01902 555608
	Email	jenny.davies@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

2.1 The site is located approx. 3.8km north east of Wolverhampton City Centre. The site is a former public house which has been demolished for some time. The development proposed would comprise approximately half of the former pub site located on the corner of Wood End Road and Blackhalve Lane.

2.2 Adjoining the site directly to the south is a residential property 434 Wood End Road and to the east the remaining vacant pub site adjacent to which is open fields and the city boundary with South Staffs. On the opposite corner are a group of four retail units other than that the site is located primarily within a residential area.

3.0 Application details

- 3.1 The development comprises a two storey building containing 14 self-contained flats for residents with long term conditions and one flat for an on-site carer with a shared communal space and office area.
- 3.2 The building would splay the corner as a result of a restrictive covenant preventing buildings being sited and would be no higher than the adjacent residential property. The building is traditional in appearance constructed of brick and tile pitched roof.
- 3.3 A parking area for eight vehicles including one disabled parking space would be located to the south adjacent to 434 Wood End Road.

4.0 Relevant policy documents

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

5.0 Publicity

- 5.1 A petition of 44 signatories from 34 addresses and nine letters of objection on the following grounds have been received:
- Lack of parking
 - Unsustainable location
 - Scale and massing
 - Proximity to road junction
 - Overdevelopment of the site
 - Concerns about type of residents

6.0 Consultees

- 6.1 Transport, Ecology, Housing Strategy and Development – no objections
- 6.2 Environmental Health has no objections subject to conditions.

7.0 Legal implications

- 7.1 There are no specific legal implications arising from this report (LD/05042016/J)

8.0 Appraisal

- 8.1 The principle of residential accommodation in this location is acceptable and in accordance with BCCS policy HOU2
- 8.2 The development would provide eight parking spaces, which is less than the parking standard for new residential development. However this is based on the special requirements of the occupiers and a condition to prevent the use of the flats by residents without special needs can be applied.
- 8.3 The proposed massing and scale of the development is in-keeping with its surroundings being two-storey in height with a traditional appearance constructed in brick and tile. The fenestration and proportions are consistent with surrounding residential properties.
- 8.4 The building would be set back and at an angle to the road as a result of a covenant which prevents building in this area. Although it is preferable in design terms for a building to be parallel to the road the adjacent and opposite corners are splayed and therefore this layout would not appear out of character.
- 8.5 The development would provide an area of private amenity space and adequate on-site parking based on the users requirements and therefore the development would accord with UDP policies D4, D6, D7, D8, D9, H6 and AM12.

9.0 Conclusion

- 9.1 The proposed use is appropriate in this location and the design and layout is acceptable and in accordance with development plan policies.

10.0 Detail recommendation

- 10.1 That planning application 16/0208/FUL be granted, subject to the following conditions:-
- Submission of materials
 - Landscaping
 - Boundary treatment
 - Bat boxes
 - Details of cycle store
 - Bin storage
 - External lighting
 - Hours of construction
 - Renewable energy
 - Restrict use to residents in need of care
 - Hours of operation during construction



Planning Committee

Tuesday, 19 April 2016

Planning application no.	15/00011/TPO	
Site	First Finchfield Scout Group Kingsclere Walk	
Proposal	Confirm Tree Preservation Order	
Ward	Merry Hill;	
Cabinet member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Accountable Director	Nick Edwards, Service Director, City Assets	
Originating service	Planning	
Accountable employee	Andy Fisher	Tree Officer
	Tel	01902 555621
	Email	andy.fisher@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Confirm the Tree Preservation Order

2.0 Application site

2.1 The tree (T1) is located on the western side of the land belonging to the Scout Group.

3.0 Application details

3.1 The tree is a large maturing Oak tree which has good form and is in good condition and with a high amenity value in that it is visible from the public areas and highways within the locality.

3.2 A Tree Preservation Order was served on 17th December 2015 and the Local Authority have six months in which to confirm it.

4.0 Objections

4.1 One objection has been received. That the tree may inhibit sun light if solar panels are fitted in the future.

5.0 Legal implications

- 5.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for preservation of trees they may make an order to that effect. Before confirming the Order the local planning authority must consider any objections and representations duly made.(LD/31042016/C)

6.0 Appraisal

- 6.1 The Oak tree is an important part of the character and appearance of the Merry Hill area and is visible from Langley road, Bhylls lane and all surrounding properties. The tree is over 10 metres high, and is of good balanced form. It has an estimated healthy life span in excess of fifty years.
- 6.2 The fitting of solar panels to the scout hut is not currently proposed and is not a material consideration.
- 6.3 It is expedient in the interests of amenity to make provision for the preservation of this tree as removal would have a significant impact on the local environment.

7.0 Conclusion

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

8.0 Detailed recommendation

- 8.1 Confirm the order.



O/S coordinates (easting): 388396

O/S coordinates (northing): 296998

Approx Scale of Plan 1:1250 - Do not scale from plan

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Wolverhampton City Council Regeneration & Environment Planning Services Civic Centre St Peter's Square Wolverhampton WV1 1RP	The Wolverhampton City Council, First Finchfield Scout Group HQ Kingsclere Walk, Tree Preservation Order 2015	Reference Number: - 15/00011/TPO
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Planning Committee

Tuesday, 19 April 2016

Planning application no.	16/00107/FUL	
Site	Caerleon Surgery, Dover Street, Wolverhampton	
Proposal	Extension to existing Drs surgery, to provide a staff room and consulting room	
Ward	Bilston North;	
Applicant	Dr A Asghar	
Cabinet member with lead responsibility	Councillor Peter Bilson Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Colin Noakes	Planning Officer
	Tel	01902 551124
	Email	colin.noakes@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Refuse

2.0 Application site

2.1 The application site is an established doctor's surgery set within a predominantly residential area. The residential properties are a mixture of impressive detached and semidetached houses with small front gardens and limited off street parking provision.

2.2 The surgery is a single storey building which has previously been extended. The building extends beyond the rear of the neighbouring properties and backs onto the rear garden of 3b Elm Avenue.

3.0 Application details

3.1 The application seeks planning permission for a single storey rear extension to accommodate a staff room and an additional consulting room.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

5.0 Publicity

5.1 One letter of objection has been received. The planning related reasons for objection include:

- Loss of privacy/overlooking
- Overbearing

6.0 Consultees

6.1 Transportation – The application is not supported, on street parking in the vicinity is heavily subscribed and there are major concerns about the impact the additional parking will have on the residential roads in the neighbourhood.

6.2 Environmental Health – No objections to the proposal, providing appropriate conditions are imposed to protect neighbour amenity.

7.0 Legal implications

7.1 There are no specific legal implications arising from this report. (LD/06042016/A)

8.0 Appraisal

8.1 There are two main planning elements regarding this application highway issues and neighbour amenity.

Highway Issues

8.2 The surgery is situated in a residential area located between Wellington Road and Prouds Lane. These roads see high volumes of traffic throughout the day, and a number of the junctions are protected from inappropriate on-street parking by extensive Traffic Regulation Orders. Consequently on street parking on Dover Street and surrounding roads is heavily subscribed. The residential properties have limited, or no off street parking provision, the surgery itself also has no off street parking. Both sides of Dover Street are used for vehicle parking and at busy times can result in highway safety issues with vehicles having difficulty manoeuvring through the resulting narrow corridor. In addition the parked vehicles can cause visibility issues for pedestrians crossing the highway.

8.3 According to the applicant the proposed extension would result in additional 600 patients and one GP using the surgery. This likely to exacerbate an already poor off street parking provision and lead to further general disturbance to residents and intensify the highway safety issues. The proposed development therefore fails to accord with BCCS policies ENV3 and CSP4 and UDP policies AM12, AM15 and B5.

Neighbour Amenity

- 8.4 The proposed extension would see the building project an additional 8.427m along neighbouring side boundaries and including the exterior rear steps would be within 0.1m of the rear boundary. The land level of the site slopes away to the rear and would result in the building appearing to have an increased height when viewed from 3b Elm Avenue.
- 8.5 The extension would fill almost all of the remaining open space of the site. This would result in the building having a far greater detrimental impact on neighbouring gardens. The building would run the entire length of both neighbouring boundaries and appear overbearing particularly where due to the land levels the building would reach a height of 3.8m. When viewed from 3b Elm Avenue the building will appear overbearing. The proposed steps at the rear of the extension will allow users to overlook directly into all the immediate neighbours rear gardens. Consequently the proposal is also contrary to UDP policies D4, D7, D8, and B5

9.0 Conclusion

- 9.1 The proposed development will increase patient and staff numbers and aggravate the already poor on street parking situation. It will exacerbate the nuisance caused to local residents generated by patients using their vehicles to visit the surgery and be detrimental to highway safety.
- 9.2 The extension due to its scale and position will have an adverse effect on neighbour amenity, appearing as an overbearing and intrusive feature when viewed from their rear gardens. The development will also allow direct overlooking into neighbouring gardens having a serious harmful impact on their privacy.

10.0 Detail recommendation

- 10.1 That planning application 16/00107/FUL be refused, for the following reasons:
- The proposed development by the intensification of the use of the site will exacerbate an already poor on street parking situation. Consequently the proposed development will have an adverse effect on highway safety and the free flow of traffic. Furthermore, the development will by generating greater vehicle movements to the locality give rise to an unacceptable degree of disturbance to nearby residents from traffic noise thus failing to protect neighbour amenity. Contrary to BCCS Policies ENV3 and CSP4 and UDP Policies AM12, AM15 and B5.
 - The proposed extension would, by reason of its height, bulk and position relative to the houses and gardens of the adjoining properties have an unacceptable loss of privacy and overbearing impact, on the outlook presently enjoyed by those properties. Contrary to BCCS Policies ENV3 and CSP4 and UDP Policies D4, D7, D8, and B5



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