

# Planning Committee

## Minutes - 28 June 2016

### Attendance

#### Councillors

Cllr Linda Leach (Chair)  
Cllr Harman Banger  
Cllr Greg Brackenridge  
Cllr Welcome Koussoukama  
Cllr Louise Miles  
Cllr Anwen Muston  
Cllr Phil Page  
Cllr John Rowley  
Cllr Judith Rowley  
Cllr Wendy Thompson  
Cllr Jonathan Yardley

#### Employees

Stephen Alexander	Head of Planning
Andy Carter	Senior Planning Officer
Lisa Delrio	Senior Solicitor
Dereck Francis	Democratic Support Officer
Martyn Gregory	Section Leader
Ian Holliday	Section Leader, Planning
Tracey Homfray	Planning Officer
Paul Lester	Planning Officer
Nussarat Malik	Planning Officer
Colin Noakes	Planning Officer
Tim Philpot	Professional Lead - Transport Strategy
Jo-Anne Rasmussen	Planning Officer
Ragbir Sahota	Planning Officer
Phillip Walker	Planning Officer

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

*Item No.*    *Title*

- 1 Apologies for absence**  
Apologies for absence were submitted on behalf of Cllr Dr Michael Hardacre.
- 2 Declarations of interest**  
Stephen Alexander, Head of Planning declared a disclosable non pecuniary interest in application 16/00115/FUL, in so far as his daughter attends Wolverhampton Grammar School.  
  
Cllr Louise Miles declared a disclosable non pecuniary interest in application 16/00418/FUL, in so far as she knew the speaker.

3 **Minutes of the previous meeting - 19 April 2016**

Resolved:

That the minutes of the previous meeting held on 19 April 2016 be approved as a correct record and signed by the Chair.

4 **Matters arising**

With reference to Minute 9 (15/01306/FUL - Land at the rear of 32 and 33 Quail Green), Cllr Wendy Thompson sought clarification on the consent that had been granted in relation to this application as the Committee report was at variance with the planning application.

Andy Carter, Planning Officer advised that there had been a small drafting error in the Committee report which set out 'three detached houses' but the detail was misstated. The plans were for two four bedroom and one five bedroom houses, not two five bedroom and one four bedroom house as stated in the Committee report. The matter had been clarified and a separate investigation was ongoing

5 **16/00307/FUL - Former "The Noah's Ark", Wood End Road, Wolverhampton**

The Committee received a report regarding application 16/00307/FUL, proposed change of use of part of a former public house (use classification A4) to a hot food takeaway (use classification A5), together with associated minor external alterations to include extraction system and flue.

Mr Richard Cooke addressed the Committee and spoke in support of the application.

Cllrs John Rowley and Phil Page reported that they had both received correspondence from the applicant regarding this application but this had not impaired their ability to remain open minded and to consider the application impartially.

Resolved:

That the application be refused on the grounds that it is contrary to BCCS Policy ENV2, ENV8 and UDP Policies B5, EP5, SH10, SH14, D7, D8 and D9.

6 **16/00366/FUL - 7 Rookwood Drive, Wolverhampton**

The Chair announced that the report on application 16/00366/FUL, proposed first floor rear extension would be deferred to the next meeting pending a site visit.

7 **15/01422/FUL - Land adjacent to the Halfway House, 115 Tettenhall Road**

The Committee received a report regarding application 15/01422/FUL, apartment development (20 flats). The report had been brought back to Committee after Committee resolved on 5 February to grant or refuse depending on the response from the Department of Transport.

Phillip Walker, Planning Officer reported that four extra objections had been received relating to access.

During the ensuing discussion it was questioned why the access and egress to the site was not from Cranmore Road. Members of the Committee also commented that the junction at Paget Road and Tettenhall Road was a busy, hazardous road system

and was close to the proposed access point. It was also felt that the proposal could lead to accidents on the highway by the site; that the Police would not be able monitor the junction in the way the Council might like; and that there were better access and egress options to the one presented.

In response the Planning Officer reported that he had spoken to the applicant who felt that access from Cranmore Road would not be appropriate for their plans. The Planning Authority was happy to accept the views of Transportation on this point.

Tim Philpot, Lead Transport Officer also reported that there were no recorded casualties attributable to access to the Halfway House going back to 1999. He therefore did not consider the proposed access was a safety problem.

Another member of the Committee commented that the junction was as hazardous when the site was used as a public house as it would be with any other development on the site. In the light of the Lead Transport Officer's update that there were no accidents in recent times at the junction, and the advice from the Department for Transport, she could not see any planning grounds upon which the application could be refused.

Resolved:

That the application be refused on transport and highways grounds.

8 **14/01210/FUL - Former Farndale Junior School**

The Committee received a report regarding application 14/01210/FUL, 15 apartments.

Some members of the Committee requested, on the basis of the complexity and scale of the site, that consideration of the application be deferred pending a site visit.

Andy Carter, Senior Planning Officer reported on the background to the site and the application. He drew the Committee's attention to the application site being a part of a wider development site on which Committee approval had previously been granted for a residential development comprising conversion of the existing school building to create 12 apartments, erection of 18 houses and three story building containing 15 apartments.

Stephen Alexander, Head of Planning informed the Committee that the applicant had been working hard with officers to make a difficult application work. The issues regarding the s106 Agreement were minor points. No objections or issues of concern had been raised regarding the application and it was a relatively straightforward matter. On that basis he respectfully asked that the Committee not delay determination of the application.

Resolved:

That the application be deferred to the next meeting pending a site visit.

9 **16/00115/FUL - Wolverhampton Grammar School, Compton Road**

The Committee received a report regarding application 16/00115/FUL, new two storey Primary School with parking, playgrounds, car parking and artificial mini-football pitch including floodlighting park.

Philip Walker, Planning Officer reported on the receipt of additional letters of objection from 37 different households and he summarised the issues raised in the new objections. He also reported that Transportation had agreed a slight change to the detailed recommendations. They had asked that the school not open for one year following the receipt of the highway junction improvement commuted sum section 106 Agreement.

Tim Philpot, Lead Transportation Officer reported that a s106 Agreement to the value of £200,000 had been reached regarding the cost of improving the junction at Merridale Road, Gamesfield Green and Aspen Way. It was a detailed scheme which would take time to develop. Transportation had also asked for a year before the school opened to allow time to develop the scheme. He also reported that Centro had agreed to relocate the bus stop further along Merridale Road. Regarding parking and exiting the site, a detailed report was available on how these aspects would be achieved and Transportation were satisfied with the plans.

Cllr Linda Leach (Chair) reported that she had received correspondence in relation to the application. She asked the Committee to keep an open mind and remain impartial during their consideration of the application and if they were unable to do so to respectfully they leave the room whilst the application was determined.

Some members of the Committee indicated that they had received and read correspondence in relation to this application but remained open-minded. Some members also expressed the view that there were material changes to the application compared to the previous report, including changes to the car parking plans at the site. They queried why the changes had not gone out to 21-day public consultation. Clarity was also sought on whether the £200,000 for the highways improvements to the junction was a part or whole cost for the scheme, and if more funding would be required where it would come from; who would draw up the plans for the junction; whether it be a roundabout or traffic light operated junction as the solution would have different effects on highway traffic and the environment; that there could be other access points onto the site that could have avoided Merridale Road; and it was also felt that the section in the report addressing the highways issues was light and a response from Centro should be sought. In the light of these concerns it was suggested that the application be deferred pending a site visit to focus on the highways implications and other access points to the site.

It was also suggested that some of the 19 conditions in the detailed recommendations within the report should be reviewed and where possible included within the consents. Some members of the Committee also felt that a number of the issues raised at the previous meeting had not been adequately responded to.

In response the Planning Officer advised that the question of whether the changes to the application represented a material change had been considered. It was the Planning Authority's view was that the scheme itself was not substantially altered. He also advised that everyone who initially wrote in regarding the planning application had been written to informing them of the changes and inviting their comments thereon.

In response to the transport issues raised the Lead Transport Officer advised that, as and when appropriate, Transportation would work alongside consultants on the design of the highways improvement scheme to the junction. Whoever was used to design the scheme their costs would be charged to the scheme. In terms of the costs, the £200,000 figure was the lower limit of the options. Other sources of funding could be drawn on if other options were required.

Resolved:

That the application be deferred pending a site visit and where necessary consultation with the residents who had responded to the original consultation on the application.

10

**15/00745/FUL - 100 D'Eyncourt Road, Wolverhampton, WV10 0SY**

The Committee received a report regarding application 16/00745/FUL, change of use to small residential care home for up to four children.

Paul Lester, Planning Officer reported that a further letter of objection had been received with concerns relating to parking, highways issues, lack of a turning circle and a dropped curb. A petition containing 134 signatures had also been received in opposition to the proposed application.

Mr Jeff Foster addressed the Committee and spoke in opposition to the application.

Mr Khalil also addressed the Committee and spoke in support of the application.

Cllr Judith Rowley asked whether under the Highway Code it was an offence to reverse onto the public highway. Tim Philpot, Lead Transport Officer reported that the Code referred to what was appropriate and was largely advisory. There was no specific offence of reversing onto the highway.

Cllr John Rowley reported that there had been a number of premises of the type of the proposed developed in the city. He drew the Committee's attention to the role of OFSTED in regulating children's care homes. Where there had been problems OFSTED had stepped in to help the premises to continue and to operate successfully. The developments provided an acceptable social function and he gave his support to the application.

Cllr Phil Page commented that not all the vehicles on the site would be ones used by the staff. In his experience there would also be regular visits from extra staff, such as case workers and different agencies. When this occurred it could mean a significant number of extra vehicles at the premises and this gave him cause for concern. In response the Lead Transport Officer reported that there would be three additional parking spaces at the premises and it was possible that not every member of staff would drive so the spaces would not necessarily be taken up by staff. There was no restriction on the road regarding short-term parking so extra visitors to the premises would not cause a significant disruption.

Resolved:

That the application be approved, subject to the following conditions:

- Number and age of children.
- Carer numbers and shift changes
- Parking provision

- 11 **16/00107/FUL - Caerleon Surgery, Dover Street, Wolverhampton**  
The Committee received a report regarding application 16/00107/FUL, extension to existing surgery, to provide staff room and additional storage and record keeping space.

Resolved:

That the application be refused for the following reason:

The proposed extension would, by reason of its height, bulk and position relative to the houses and gardens of the adjoining properties, be detrimental to the amenity of neighbouring residents by virtue of an unacceptable loss of privacy and overbearing impact on outlook, contrary to BCCS Policies ENV3 and CSP4 and UDP Policies D4, D7, D8, and B5.

- 12 **16/00137/FUL - 93 Bushbury Road, Wolverhampton, WV10 8LZ**  
The Committee received a report regarding application 16/00137/FUL, nine apartments.

Ragbir Sahota, Planning Officer reported that minor amendments had been made to the plan to overcome neighbour concerns. A petition containing seven signatures had also been received in support of the application. The applicant had called into question the validity of signatures on the first petition.

Resolved:

That the application be approved subject to the following conditions:

- Submission of materials
- Landscaping
- Drainage details
- Details of bin stores
- Details of cycle stores
- Construction of vehicular access/sliding gate with access control
- Parking areas to be provided
- Site investigation
- Construction method statement
- Details of external lighting
- Restrict first floor windows

Notes for Information

- Mining Advice Area

- 13 **16/00248/FUL - The Mount Bungalow, Deans Road, Wolverhampton**  
The Committee received a report regarding application 16/00248/FUL, use of the land for the stationing of caravans for residential purposes, together with the formation of hard standing and utility day rooms.

Jo-Anne Rasmussen, Planning Officer reported that an additional objection had been received, the contents of which did not add any new points to those previously received. Seven Trent Water had also responded indicating that they had no objections to the application.

Some members of the Committee proposed that the application be refused on the basis of highways and transportation grounds; that it was also a busy site to consider the movement of caravans in and out; the history of the site and its accessibility by the Fire Service; some members also had concerns regarding how the site would be managed and its proximity to a local landfill site. Other members of the Committee expressed concerns on the amount of visitor traffic that would be at the three pitches; how the pitches would be managed economically; and that the site might be used for commercial purposes.

In response to the questions and concerns raised by the Committee Tim Philpot, Lead Transport Officer reported that he had checked the site and the width of the road appeared sufficient to enable a vehicle to turn. The highway was wide enough for static caravans to access the site so it would be sufficient for Fire Service access. Fire Service appliances also carried long hoses that could be deployed if they were unable to access the site direct.

It would also be a small scale occurrence that vehicles would be leaving and entering the site. No business was in operation from the site and there were conditions prohibiting external storage on the site. Whilst visitor numbers to the site was a material planning consideration however, in this instance there was no evidence to support any harm to residents from visitors to the site. Finally, the development was close to a landfill site but Environmental Health had raised no concerns to the proposal. In terms of the legal clarification over the operation of Gypsy sites, the Legal Officer, Lisa Delrio reported that the Committee had to consider the case on its planning merits and referred members to paragraph 8.1 of the report.

Resolved:

That planning application 16/00248/FUL be granted subject to conditions including:

- A scheme detailing the delivery method for the static caravans
- Drainage details
- Laying out of the development in accordance with the approved plans
- Ground gas protection scheme
- Hard surfacing details for access route and site
- No burning on site
- No external storage
- Full details of caravans/ park homes.

14 **16/00418/FUL - 6 Windmill Lane, Wolverhampton**

Cllr Louise Miles declared a disposable non-pecuniary interest in this application and withdrew from the meeting during consideration of this item.

The Committee received a report regarding application 16/00418/FUL, closure of existing vehicular access at Windmill Bank and creation of a new vehicular access of Castlecroft Lane, Tettenhall Wightwick.

Mrs Felicity Lovell addressed the Committee and spoke in opposition of the application.

Mr Trevor Williams also addressed the Committee and spoke in support of the application.

Cllr Wendy Thompson commented that the existing access to the site off Windmill Bank was unsightly but she was disappointed that the proposed new access to the site would mean the loss of a section of the hedgerow. She also commented that the condition relating to the removal of existing hardstanding with landscaped area would be welcomed. She also observed that there had not been any issues regarding the historic access to the site but it was close to a junction and she would not be surprised if an accident occurred by a vehicle exiting the site and turning from the new access

Cllr Judith Rowley asked whether it would be reasonable to add another condition regarding visibility splay. In response Martyn Gregory, Section Leader informed the Committee that a detailed plan was available regarding how the hedgerow would be cut into. Transportation were happy with the visibility splay.

Resolved:

That planning application 16/00418/FUL be approved subject to the following conditions:

- Raise kerb
- Removal of existing hardstanding with landscape area.