

Planning Committee

8 November 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 Dr Michael Hardacre (Lab)

Labour

Cllr Harman Banger
Cllr Greg Brackenridge
Cllr Welcome Koussoukama
Cllr Louise Miles
Cllr Anwen Muston
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 - 6 September 2016 (Pages 3 - 6)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |

DECISION ITEM

- | | |
|----|--|
| 5 | 16/00366/FUL - 7 Rookwood Drive, Wolverhampton (Pages 7 - 10)
[To consider the planning application] |
| 6 | 16/00482/FUL - 99 Wellington Road, Wolverhampton (Pages 11 - 16)
[To consider the planning application] |
| 7 | 16/00938/FUL - Doctors Surgery, 1 Tudor Road, Wolverhampton, WV10 0LS
(Pages 17 - 20)
[To consider the planning application] |
| 8 | 16/01024/OUT - Former bus depot, Cleveland Road (Pages 21 - 28)
[To consider the planning application] |
| 9 | 16/000861/FUL - Land at Stafford Street (Pages 29 - 34)
[To consider the planning application] |
| 10 | 16/00678/FUL - Land between New Street, South Street and the Keyway, Portobello (Pages 35 - 40)
[To consider the planning application] |

Planning Committee

Minutes - 6 September 2016

Attendance

Councillors

Cllr Linda Leach (Chair)
Cllr Dr Michael Hardacre (Vice-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

Employees

Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Andy Carter	Senior Planning Officer
Dereck Francis	Democratic Support Officer
Tracey Homfray	Planning Officer
Charlotte Morrison	Section Leader

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 Jonathan Yardley.
- 2 Declarations of interests**
Cllr Harman Banger declared a disclosable pecuniary interest in item 5 (Application 16/00759/FUL) in so far as he is the owner/occupier of the property.

Cllr Louise Miles declared a non pecuniary interest in item 5 (Application 16/00759/FUL) in so far as she was previously a ward councillor for the area, was aware of all the issues relating to the application and had personal dealings with the applicant.

Cllr Anwen Muston declared a disclosable pecuniary interest in item 6 (Application 16/00501/FUL) in so far as she is the owner of the property.

3 **Minutes of the previous meeting - 28 June 2016**

Resolved:

1. That the recommendation to Minute 9 (16/00115/FUL – Wolverhampton Grammar School, Compton Road) be corrected by the inclusion of the words ‘to view highways implications’ between the words ‘site’ and ‘visit’.
2. That subject to 1 above, the minutes of the meeting held on 28 June 2016 be approved as a correct record and signed by the Chair.

4 **Matters arising**

There were no matters arising from the minutes of the previous meeting.

5 **16/00759/FUL - 33 The Orchard, Bilston, Wolverhampton, WV14 0EA**

Having declared a pecuniary disclosable interest in this application, Cllr Harman Banger withdrew from the meeting room whilst the application was determined. Cllr Louise Miles also withdrew from the meeting having declared a non disclosable pecuniary interest in the application.

The Committee received a report regarding application 16/00759/FUL, three new windows.

Resolved:

That the planning application 16/00759/FUL be unconditionally granted.

6 **16/00501/FUL - Site 18 Phoenix Street, Blakenhall, Wolverhampton**

Having declared a pecuniary disclosable interest in this application, Cllr Anwen Muston withdrew from the meeting room whilst the application was determined.

The Committee received a report regarding application 16/00501/FUL, detached outbuilding.

Resolved:

That the planning application 16/00501/FUL be granted.

7 **16/00429/FUL - 113 Blackhalve Lane Wolverhampton, WV14 0EA**

The Committee received a report regarding application 16/00492/FUL, residential development comprising one detached house and one detached bungalow.

Tracey Homfray, Planning Officer reported that as a result of residents’ concerns regarding access and parking, the agent for the applicant had submitted a plan showing that two cars could be parked at the site and could enter and exit the site.

Cllr Louise Miles made the general observation that she was concerned too many dwelling houses were being crammed onto small sites. In relation to the site for this application she suggested it would have been far better if the application was just for the detached bungalow. Other members of the Committee agreed with the general view and suggested that this be considered or kept under review. That said, they felt that the map of the site did not seem to show that there was an issue.

Resolved:

That planning application 16/00492/FUL be approved subject any necessary conditions, such as the following:

- Levels
- Landscaping
- Materials
- Restrict permitted development rights of bungalow
- Provide/maintain car parking
- Hours of construction

8 **16/00664/RC - Star Works, Frederick Street**

The Committee received a report regarding application 16/00664/RC, variation of condition 5 of 15/00676/FUL to increase the number of night club events from six to ten in the first year of operation.

Mr James Bird addressed the Committee and spoke in opposition of the application.

In response to a comment made by Mr Bird, Andy Carter, Senior planning Officer advised that the original permission for the site was for one year with six events during the year. The current application was seeking to extend the application from six events to ten in the first year of operation.

Mr Ryan McGillicuddy addressed the Committee and spoke in support of the application.

Resolved:

That the planning application 16/00664/FUL be granted subject to any appropriate conditions including:

- Ten events in first year of operation.
- Operation in accordance with the Noise Management Plan.

9 **14/01210/FUL - Former Fandale Junior School**

The report regarding application 16/01210/FUL, 15 apartments had been deferred from the previous meeting pending a site visit by the Committee which had taken place earlier in the day.

Members of the Committee reiterated a previous comment made regarding cramming large number of household developments onto small sized building plots and the need for the curtilage of the building to be appropriate for the number of units built upon it.

Resolved:

That the Service Director, City Economy be given delegated authority to grant the planning application 16/01210/FUL subject to:

- i. A Section 106 agreement for the following:
Targeted recruitment and training;

and a reduction in the Section 106 requirements for renewable energy, open space contribution, and affordable housing to reflect the lack of

viability, for all flats that are ready for occupation within three years from the date that the lack of viability is demonstrated, with the full pro-rata requirement applying to all flats that are not ready for occupation by that date.

- ii. any appropriate conditions including:
 - Materials;
 - Landscaping;
 - Covered cycle parking;
 - Details of bin store;
 - Hours of construction;
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.

Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/00366/FUL	
Site	7 Rookwood Drive, Wolverhampton	
Proposal	Proposed first floor rear extension	
Ward	Tettenhall Wightwick;	
Applicant	Mr P Corbelli	
Cabinet member with lead responsibility	Councillor John Reynolds Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Nussarat Malik	Planning Officer
	Tel	01902 550141
	Email	nussarat.malik@wolverhampton.gov.uk

1.0 Summary recommendation:

- 1.1 This application was deferred from 28 June 2016 for a site visit.
- 1.2 Approve subject to conditions.

2.0 Application site

- 2.1 The application site is a large detached property at the end of a cul de sac. The property is set on an elevated position in relation to the neighbouring residential properties in Quail Green.
- 2.2 To the side and rear boundaries there tall trees. The property has been extended most recently with a single storey rear extension for an orangery.

3.0 Application details

- 3.1 The application seeks to extend above the single storey rear extension for a first floor extension.

3.2 The proposed extension will project out 3 metres at first floor and will be 4.2 metres in width and be approximately 6.5 metres in height with a hipped roof. The proposal will be used to create a larger bedroom.

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:

SPG4 Extensions to Houses
Neighbourhood Plan for the Tettenhall Wards

5. Relevant Planning history

5.1 14/00015/FUL Single storey rear extension with two storey rear extension.
Refused 11.03.2014.

5.2 14/00840/PDPA Single storey extension (7.5 metre rearward projection from the original dwelling house and 2.3 metres from the existing rear wall, 3.45 metres to the eaves and maximum height 4 metres) Notification for Prior Approval for a Proposed Larger Home Extension.

6.0 Publicity

6.1 Three letters of objection have been received. The planning related reasons for objection include:

- Loss of daylight
- Loss of privacy
- Out of character
- Out of scale
- Overdevelopment of site

7.0 External Consultees

7.1 Seven Trent Water – No Objections with conditions.

8.0 Legal implications

8.1 There are no specific legal implications arising from this report (RB/20062016/A)

9.0 Appraisal

Neighbour Amenity/Design

- 9.1 The proposal is to extend above the new orangery approximately in the centre of the house at first floor. The extension would project out by 3 metres from the rear of existing first floor and would have a lower roof ridged height than the existing roof therefore being subservient to the existing roof line.
- 9.4 The proposed extension is to be set towards the centre of the property at first floor the neighbouring house will have some view of the extension, however this would not have a materially detrimental impact on their amenity to warrant a refusal.
- 9.5 There have been some concerns expressed by the neighbours at the rear of the application site in Quail Green in regards to some flooding issues. In terms of this proposal the agent has confirmed that any run off of water from the extension will be directed to the main drainage system.
- 9.6 In terms of comparison with the refused application (14/00015/FUL) there are quite a few differences. The previous proposal had a larger gable end style roof which was 7.6 metres high and projected out some 3.25 metres and was considered to be dominant and overbearing.
- 9.10 The current proposal is for a reduced first floor extension which has been lowered to 6.5 metres in height with a hipped roof and a reduced projection of 3 metres. This is now considered to be in line with the development plan and Council Policies.

10.0 Conclusion

- 10.1 The proposed extension is not considered to be detrimental the amenity of the neighbours adjoining or to the rear it is set towards the centre of the house and will have minimal impact on the view from the neighbour at number 8 Rookwood Drive. In regards to the neighbours at the rear of the property in Quail Green there are currently no direct views into their properties by virtue of the intervening tree screen

11.0 Detailed recommendation

- 11.1 That planning application 16/00366/FUL be approved subject to the following condition:
- Matching Materials
 - Drainage Details



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Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/00482/FUL	
Site	99 Wellington Road, Wolverhampton	
Proposal	Erection of 14 houses with associated roads and parking	
Ward	Bilston North;	
Applicant	Marchfield Estates (West) Ltd / Landowner Homes Three Ltd	
Cabinet member with lead responsibility	Cabinet Member for City Economy, Councillor John C Reynolds	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Ragbir Sahota	Planning Officer
	Tel	01902 555616
	Email	ragbir.sahota@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to S106 Agreement

2.0 Application site

2.1 The application site was the former Biddlestones furniture store which has now been demolished and the land cleared. The ground is largely level except for an excavated area which was dug out to remove a sub-ground level storage facility.

2.2 The site is surrounded by a former industrial building to the east now in use as a place of worship and to the north and west the area is predominantly residential. Access to the site is of Wellington Road and Bulger Road.

3.0 Application details

3.1 The application is for the erection of 14, three bed semi-detached houses. The layout is as such that one pair of semi-detached houses fronts Wellington Road, four pairs of semis are accessed via an access road from Wellington Road and two pairs of semis from Bulger Road. All properties have two car parking spaces with visitor parking off Bulger Road.

- 3.2 The houses are two storey in height with gardens to the rear and two car parking spaces per house.
- 3.3 The application site had planning permission granted previously for 23 dwellings comprising houses and apartments in 2007 and for 20 dwellings comprising houses and apartments in 2006.

4.0 Relevant policy documents

- 4.1 Black Country Core Strategy (BCCS)
- 4.2 Wolverhampton Unitary Development Plan (UDP)
- 4.3 Supplementary Planning Guidance 3 – Residential Development (SPG)

5.0 Publicity

- 5.1 Three letters have been received and whilst one does not object to the proposal in principle, it raises concern as to the use of Bulger Road during construction, access, traffic and congestion and litter. Other concerns relate to existing and an increase in anti- social behaviour, existing parking and access issues and refuse collection.
- 5.2 A letter from MP Pat McFadden has been received primarily raising concerns on parking and traffic congestion.

6.0 Legal implications

- 6.1 There are no legal implications arising from this report (LD/26102016/A)

7.0 Appraisal

- 7.1 Although not specifically identified for development within the UDP, the site is situated in a predominantly residential area and the site has been derelict for a considerable amount of time. Residential development is therefore acceptable.
- 7.2 The 14 houses are semi-detached and two storey in height and are in keeping with the size, form and layout of the surrounding houses.
- 7.3 The proposal has no adverse impact on pedestrian and highway safety and subject to appropriate conditions in respect of acoustic attenuation, coal mining and land contamination, the proposal has no adverse environmental impact.
- 7.4 In accordance with the development plan, a S106 agreement is required to secure:
- Public Open Space Contribution
 - 10% renewable energy (whole development)
- These meet the legal test for planning obligations.

7.5 The applicant has requested that these requirements are waived on the basis of financial viability and have submitted a financial viability appraisal which has deemed the development to be unviable. In similar instances the Council has accepted that the planning obligations may be waived until the Longstop Date which is 3 years from the date when the District Valuer deems the development unviable. If all dwellings are ready for occupation on the Longstop Date there will be no requirement to comply with the planning obligations. If none of the dwellings are ready for occupation by then, all the requirements will need to be complied with.

8.0 Conclusion

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

9.0 Detail recommendation

9.1 That the Strategic Director of Place be given delegated authority to grant planning application 16/00482/FUL subject to:
(i) Completion of a S106 Agreement to secure:
Public Open Space contribution
10% Renewable Energy provision

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 (including traffic barrier(s))
- Drainage
- Levels
- Construction Management Plan
- Tree protection measures
- Site Investigation
- Coal Mining
- Acoustic glazing and ventilation
- Tree protection measures
- Electric vehicle recharging points
- Remove PD rights for windows at first floor to Plots 2 and 10
- Targeted Recruitment and Training
- Extend splitter island on Wellington Road
- Traffic Regulation Orders to protect existing highway junctions

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Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/00938/FUL	
Site	Doctors Surgery, 1 Tudor Road, Wolverhampton, WV10 0LS	
Proposal	Conversion of double garage into two doctors consultation rooms and conversion of roof space over existing garage into a meeting room	
Ward	Heath Town;	
Applicant	A Sumit	
Cabinet member with lead responsibility	Councillor John Reynolds Cabinet Member for City Economy	
Accountable Director	Keren Jones, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Paul Lester	Planning Officer
	Tel	01902 555625
	Email	paul.lester@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

2.1 The site comprises a medical centre located on Tudor Road. The surrounding area is primarily residential. There is a car park for approximately 13 cars accessed directly from Tudor Road.

3.0 Application details

3.1 The proposals are to convert the existing double garage and roof space to create two doctors consultation rooms with a meeting room over the first floor. A small extension to the front elevation of the existing garage will create a stairwell and circulation space to service the new consultation rooms.

3.2 The proposal is required to accommodate a merger between Tudor Medical Centre and Heath Town Medical Centre on Chevril Road, in the Heath Town Estate, which will be demolished to assist the regeneration of the wider area.

4.0 Planning History

- 4.1 13/00210/FUL Single storey extension and conversion of garage for meeting room. Granted 23rd April 2013.

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)
Heathfield Park Neighbourhood Plan (HPNP)

6.0 Publicity

- 6.1 A 20 person petition has been received in relation to insufficient car parking and a lack of consultation.

7.0 Consultees

- 7.1 Transport – not objecting to the application, but appreciate local concerns.

8.0 Legal implications

- 8.1 There are no legal implications arising from this report

9.0 Appraisal

Principle of Development

- 9.1 The principle of an extension to the medical centre to improve current facilities is acceptable and in accordance with the development plan.

Neighbour Amenity/Design

- 9.2 The extension would complement the appearance of the existing building and would not have a detrimental impact on the amenity of the neighbouring properties.

Parking and Highways

- 9.3 The application site is located within a highly accessible location, which is close to public transport routes. The enlarged medical centre will only be 600m away from the existing Heath Town Medical Centre and it is considered that it will continue to serve a local catchment, which will enable people to walk to the surgery in a safe manner. The Heath Town regeneration will include improved pedestrian access which should encourage walking in the area.

- 9.4 The medical centre has approximately 13 car parking spaces and on street parking in the surrounding area. Most patient parking will coincide with the working day when it can be

anticipated there will be fewer residents' vehicles parked on-street. In the interests of good neighbourhood relations the Medical Centre management should take responsibility for encouraging patients to park responsibly particularly at times of high demand, such as vaccination programmes.

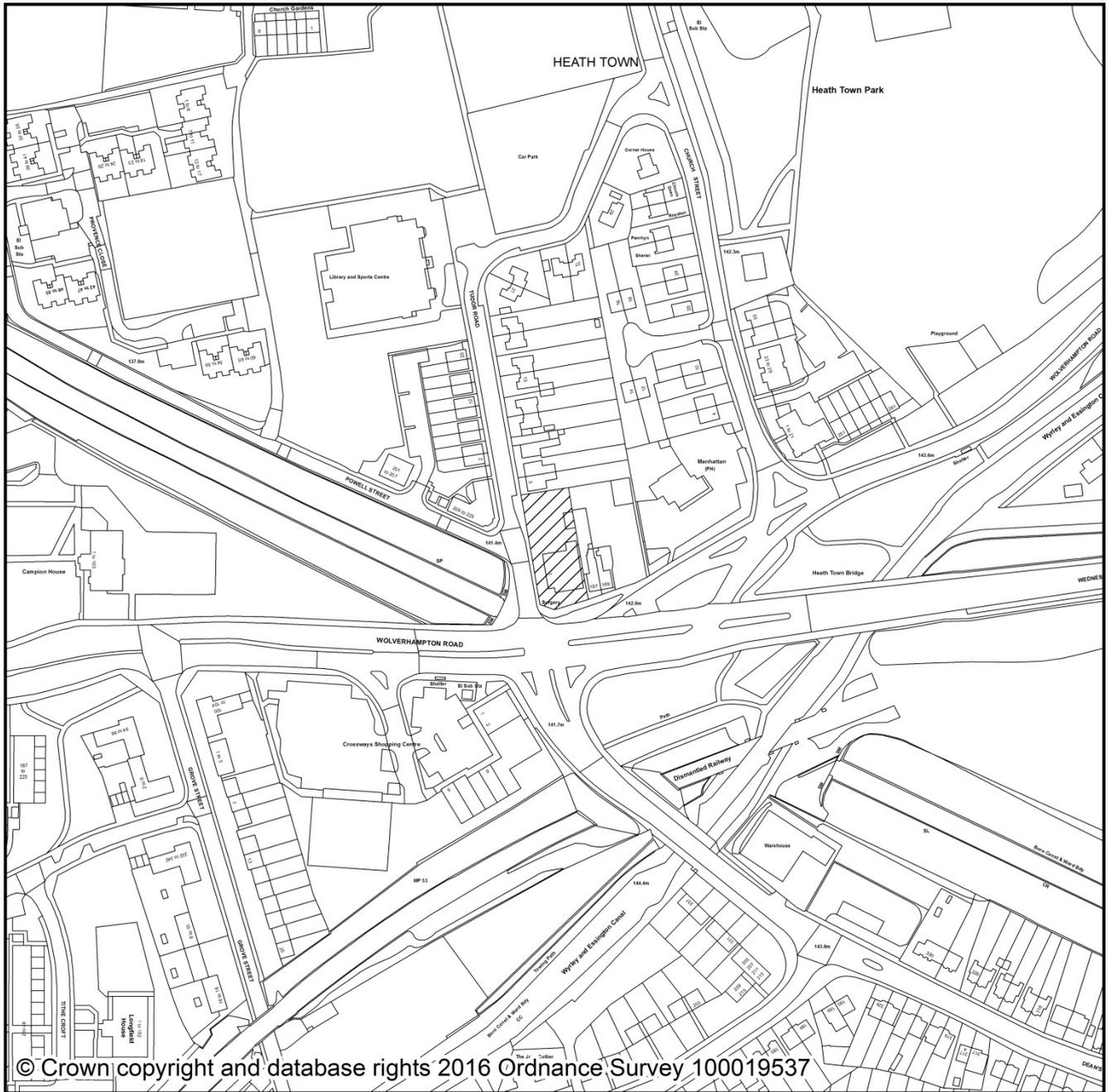
10.0 Conclusion

10.1 The proposal is on balance considered to be acceptable and in accordance with the development plan.

11.0 Detail recommendation

11.1 That planning application 16/00938/FUL be approved subject to the following conditions:

- Matching materials
- Restriction of the number of consulting rooms
- Existing car park to be marked out
- Provision of cycle parking



Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/01024/OUT	
Site	Former bus depot, Cleveland Road	
Proposal	Redevelopment of former bus depot for housing and retail	
Ward	Ettingshall	
Applicant	Homes and Communities Agency	
Cabinet member with lead responsibility	Councillor John C Reynolds, Cabinet Member for City Economy	
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 is 1.08ha in area, and comprises the former Wolverhampton Corporation bus and tram depot. The bus depot was used for fleet car parking, and a quantum of pay and display, these uses ceased on 30 September 2016. The site is bounded by Cleveland Road, Hospital Street, Bilston Road, and Ring Road St George's, and by an area of vacant land fronting Hospital Street.

2.2 The site is in the Cleveland Road Conservation Area, and is opposite the Grade II listed Royal Hospital, and Baker's Boot & Shoe Factory.

3.0 Application details

3.1 As the application is in outline it seeks to establish the uses, access, and upper development limits. The proposed uses are residential with some ancillary retail. Access would be from Cleveland Road opposite the Baker's Boot & Shoe Factory. The applicants have submitted a parameters plan showing upper limits of dwellings (140) and retail floorspace (300sqm). Without retail floorspace the dwelling capacity rise to 146.

3.2 In lieu of affordable housing the Homes and Communities Agency are proposing to provide 10% starter homes on site. On-site landscaping and open space would be provided as part of the layout of the apartments.

4.0 Planning History

4.1 06/01269/CON Demolition of former bus depot – approved August 2007.

4.2 06/01078/OUT Mixed use development including Royal Hospital site – withdrawn November 2006

5.0 Development Plan

5.1 National Planning Policy Framework (NPPF)

5.2 Black Country Core Strategy (BCCS)
Wolverhampton Unitary Development Plan (UDP)
Wolverhampton City Centre Area Action Plan (AAP)

6.0 Publicity

6.1 Two representations received. One neutral and one in objection. The comments are summarised below:

- Neutral comments:
 - Opportunity to create visual statement on corner plot with height onto Bilston Road and Ring Road
 - Regeneration opportunity for All Saints area
 - Preservation of architectural features of bus depot
- Objection comments:
 - Loss of heritage details

7.0 Consultees

7.1 Historic Environment, Environmental Health and Transportation have no objections.

7.2 Severn Trent and West Midlands Police have no objections.

7.3 Environment Agency comments are outstanding.

8.0 Legal implications

8.1 In considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.

8.2 When an application is situated in or affects the setting of a Conservation Area by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under the Act. (LD/25102016/A)

9.0 Appraisal

9.1 The key issues are:

- Principle of development
- Design and heritage
- Amenity
- Highways and accessibility
- Section 106 Agreement
- Open space

Principle of development

9.2 The site is identified in the City Centre AAP as part of the wider Royal Hospital development area. The designation sets out residential as one of the principle uses, with an element of supporting retail. The proposals are consistent with this policy position.

Design and heritage

9.3 The demolition of the bus depot was approved as part of a previous application. The building is much altered and makes a neutral contribution to the conservation area. The key elevation faces Bilston Road and contains historic details internally and externally which the applicants have agreed to salvage during the demolition phase and store for later re-use.

9.4 The parameters plan submitted by the applicants shows apartment buildings of four - seven stories fronting the Bilston Road Island, with the height reducing to three - five stories along Bilston Road and part of the Ring Road. This would address the gateway frontage of the site with mass and prominence.

9.5 The proposed heights of apartments reduce further to between two and three stories and the town houses fronting Cleveland Road are shown as between two and a half and three storey. The retail unit at the corner of Cleveland Road and the Ring Road would be two stories. The reduction in height of the proposed buildings facing the listed Royal Hospital and Boot Factory would preserve and enhance the setting of those heritage assets, and create a street scene setting.

9.6 The less than significant harm to the conservation area from the demolition of the bus depot is substantially off-set by the public benefits of new housing for the city centre and the first phase of regeneration for the Royal Hospital development area.

Amenity

- 9.7 The apartments facing Bilston Road and the Ring Road would have acoustic glazing to reduce road noise for residents. Apartments on the ground floor would not be permitted fronting Bilston Road and Ring Road St Georges to ensure no air quality issues from vehicles. Balconies for the apartments fronting these roads would also be restricted.

Highways and accessibility

- 9.8 The site is in a highly sustainable location, in walking distance to the city centre, and transport interchange. The public realm improvement of Cleveland Road would be secured as part of the off-site works in an agreement pursuant to Section 278 of the Highways Act 1980.

Open space

- 9.9 To request off-site open space contributions a nearby facility with a deficiency in quality or quantity of provision would be required to meet the tests in the Community Infrastructure Levy Regulations. The All Saints Neighbourhood Park is the closest public recreation facility, but this has had recent investment in play space equipment.
- 9.10 An area of public open space is envisaged through the delivery of the next phase of the Royal Hospital redevelopment.

Section 106 Agreement

- 9.11 In accordance with development plan policies there is a requirement for the following:
- Affordable housing at 25%
The requirement for affordable housing meets the tests in the Community Infrastructure Levy Regulations.
- 9.12 The applicants have advised the development would be unviable with the standard obligations and a viability assessment is being tested by the District Valuer to establish this. In standard circumstances the obligations would be reduced, commensurate with the lack of viability established, and only applied on a pro-rata basis on dwellings not available for occupation three years after the lack of viability was established.
- 9.13 In this instance the Homes and Communities Agency advise that the development would be unviable with any affordable housing. In lieu of this they are proposing a 10% on-site provision of starter homes. Therefore on the basis that the proposals cannot financially support on-site affordable housing, the HCA would provide:
- 10% starter homes
This would meet the tests required pursuant to legislation.
- 9.14 The cost to the developer of providing starter homes is lower than the cost of providing affordable housing. The starter homes would be discounted by a minimum of 20% from the open market value. Affordable housing has a greater discount against open market value.
- 9.15 The Council is well versed in developments being found unviable, and the developer subsequently making no contribution to planning obligations. Whilst the HCA's proposals represent a shift in the Council's standard policy approach, it would deliver a quantum of

housing at a discounted rate, on a site that may be unable to provide any affordable housing. On balance therefore the approach of starter homes instead of affordable housing is acceptable, and mirrors the direction of travel in national policy.

- 9.16 The housing would be secured through the Section 106 Agreement and go towards meeting an emerging national requirement for starter homes; delivering a mixture of tenure types on site.

10.0 Summary

- 10.1 The proposals are the first phase of the wider regeneration of the Royal Hospital Development Area. The uses are acceptable in principle, and the housing numbers would make a significant contribution to the city centre living agenda, and the Council's five year land supply. The design detail, layout and building heights would be secured through reserved matters applications.

11.0 Detail recommendation

- 11.1 That the Strategic Director Place be given delegated authority to grant planning application 16/01024/FUL subject to:

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

- Affordable housing at 25%

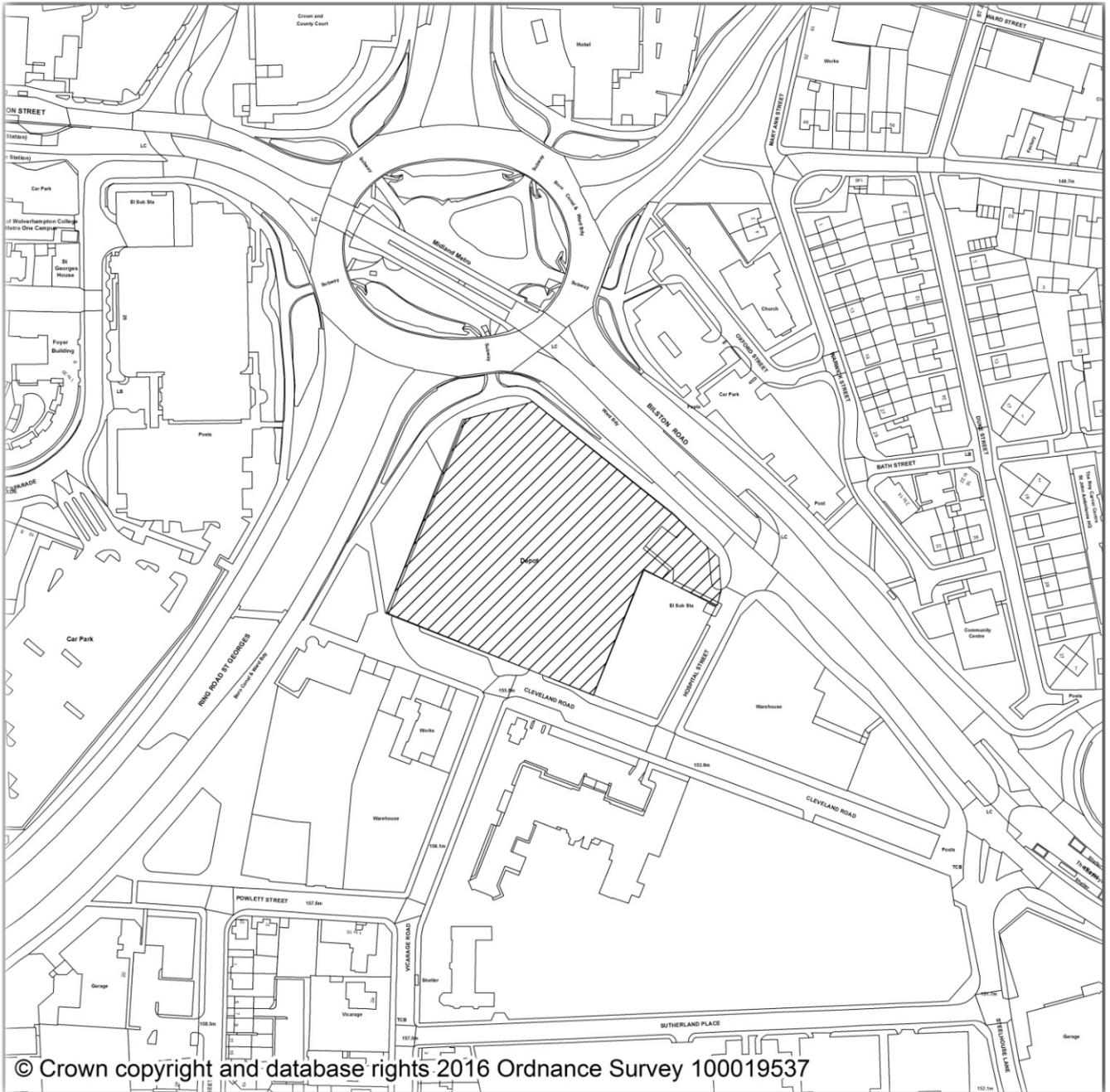
Or if the development is found unviable with the obligations at (i) a Section 106 for the following:

- Starter homes at 10%

- (ii) The following conditions:

- Reserved matters
 - Layout
 - Scale
 - Appearance
 - Landscape
- Materials
- Drainage
- Bin stores
- Cycle and motorcycle parking
- Construction method statement
- Acoustic glazing
- No balconies to Bilston Road or Ring Road St Georges
- Electric Vehicle Charging Points
- Renewable energy
- External lighting
- Plant and machinery sound levels

- Targeted recruitment and training
- Retail opening times:
 - 0700 – 2200 Monday to
 - 0800 – 2200 Sunday and Bank Holiday
- Retail delivery times:
 - 0800 – 1800 Monday to Saturday
 - 1000 – 1600 Sunday and Bank Holiday
- Land contamination
- 1:50 architect details of the windows and doors of town houses fronting Cleveland Road
- Public realm improvement to Cleveland Road fronting the site
- Demolition and construction times:
 - 08:00 – 18:00 Monday to Friday
 - 08:00 – 13:00 Saturday
 - At no time on Sundays and Bank Holidays



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Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/00861/FUL	
Site	Land at Stafford Street	
Proposal	Student Accommodation	
Ward	Bushbury South and Low Hill	
Applicant	JEDS Investments	
Cabinet member with lead responsibility	Councillor John C Reynolds, Cabinet Member for City Economy	
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 is located to the east of Stafford Street, to the north of Bone Mill Lane, to the west of the mainline railway, and to the south of the Halfords warehouse. The vacant Topps Tiles warehouse is located on the north of the site, the remainder of the 0.6 ha site is vacant following demolition of the previous buildings. Access to the site is from Bone Mill Lane behind the Land Rover showroom, and from Stafford Street south of the Topps Tiles warehouse.

3.0 Application details

- 3.1 The proposed development comprises a single building of nine storeys which would contain 812 en suite student rooms, in a variety of cluster rooms, studios and accessible rooms. The cluster rooms would have shared kitchen and lounge facilities; the studios and accessible rooms would have their own kitchen space.
- 3.2 On site facilities include a cinema, gym, study room, common room and a laundry. The footprint of the building would be in the form of a letter 'E' with a continuous frontage along Stafford Street. This layout would create two large external areas for landscaping,

and recreation space. A concierge area and visitor waiting space would be located on the ground floor fronting Stafford Street.

- 3.3 Vehicular access points would be from Stafford Street into a small integrated car park of sixteen spaces, whilst Bone Mill Lane would provide access for refuse collection and deliveries.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Black Country Core Strategy (BCCS)
Wolverhampton Unitary Development Plan (UDP)
Wolverhampton City Centre Area Action Plan (AAP)

5.0 Publicity

- 5.1 No representation received.

6.0 Consultees

- 6.1 Transportation, Environmental Health, Ecology and Housing have no objections.
- 6.2 Severn Trent, West Midland Police, and Network Rail have no objections.
- 6.3 Centro's comments are awaited.

7.0 Legal implications

- 7.1 There are no legal implications arising from this report (LD/25102016/B)

8.0 Appraisal

- 8.1 The key issues are:

- Principle of development
- Design and amenity
- Renewable Energy
- Highways
- Section 106 Agreement

Principle of Development

- 8.2 The site is allocated in the City Centre AAP for commercial uses including car showrooms, and has a development capacity of around 4,500sqm. The AAP envisages the development of the site in the period 2021-26. Whilst the proposed use is not consistent with the AAP, it would provide an important supporting accommodation use for the expanding University Quarter on the east side of Stafford Street. In addition to this

the site is within the Canalside Quarter Character Area where residential uses are sought during the plan period.

- 8.3 The proposed re-development of a vacant brownfield site in a gateway location would bring positive planning benefits, and the bespoke accommodation would allow for some of the student accommodation elsewhere in the city to return to family housing or private rental.

Design and Amenity

- 8.4 The elevation facing Stafford Street would be between seven and ten stories in height. The design shows the main pedestrian entrance framed by a ten story grey metal clad tower, further articulation is provided by a recessed ground, first floor, and upper floor. The result would be a contemporary building with a mixed palette of materials. Three wings would extend into the site, each ten stories in height.
- 8.5 The proposed height of the building would not be out of context with the surrounding built environment. The student accommodation on the opposite side of Stafford Street ranges from six to eight stories, whilst the cluster of residential tower blocks further south are twelve stories high.
- 8.6 The building would provide an active frontage to Stafford Street with the gym, and lobby entrance space.

Renewable Energy

- 8.7 The applicants have submitted an Energy Statement demonstrating that the policy required 10% renewable energy can be delivered through a combination of both Combined Heat & Power and roof mounted photovoltaic arrays. The detailed specification for these technologies would be secured through condition.

Highways

- 8.8 Access to the car park and drop-off facility would be from Stafford Street, using a left in left out arrangement. Parking would be available for sixteen spaces including one disabled space. A further drop-off facility and refuse access would be from Bone Mill Lane. This area would have drop-off for seven cars, secured with access gates operated by the concierge, and would be used at the beginning and end of term.
- 8.9 An internal cycle store would be provided at ground floor for 68 cycles. A further 36 spaces would be provided in the external space. The sustainable location and proximity to the University campus and the city centre means the majority of students would walk or cycle as their mode of transport. A pedestrian crossing off Stafford Street close to the site is committed through a planning consent at Peel Retail Park. Frequent bus services along Stafford Street provide other non-car options.

Section 106 Agreement

- 8.10 A development of this scale would place additional demands on the open space and recreation space in the vicinity. The closest public recreation space is Fowlers Park

0.5km to the east of the site. The applicants have agreed to fund access improvements to Fowlers Park, and also to improve the recreation facilities at the park. £320,000 would be secured through the Section 106 for these improvements.

- 8.11 A clause in the Section 106 will restrict the use of the building to student accommodation only. Through this approach no affordable housing contributions are sought.
- 8.12 There is also a requirement for targeted recruitment and training. All these planning obligations meet the requirements of the legal tests.

9.0 Summary

- 9.1 The site is identified as a development opportunity in the Development Plan. The proposals would make a significant provision to the student accommodation in the city on a gateway site, within walking distance to the University campus. The regeneration benefits would be considerable with additional footfall and activity in this part of the city.

10.0 Detailed recommendation

- 10.1 That the Strategic Director Place be given delegated authority to grant planning application 16/00861/FUL subject to:

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

£320,000 for recreation and access improvements in Fowlers Park
Targeted recruitment and training

- (ii) Any appropriate conditions including:

- Materials
- Landscaping including boundary treatments and access gates
- Contaminated land
- Mechanical air ventilation system
- Acoustic glazing
- Construction Management Plan including details of vibration from piling
- External lighting
- Green roof
- Bin stores
- Cycle and motorcycle parking
- 10% renewable energy
- Electric vehicle charging points
- Sustainable drainage
- Hours of construction and demolition:
 - 08:00 – 18:00 Monday to Friday
 - 08:00 – 13:00 Saturday
 - At no time on Sundays or Bank holidays

- Hours of deliveries and waste collection
 - 08:00 – 18:00 Monday to Friday
 - 08:00 – 13:00 Saturday
 - At no time on Sundays or Bank holidays



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Planning Committee

Tuesday, 8 November 2016

Planning application no.	16/00678/FUL	
Site	Land between New Street, South Street and the Keyway, Portobello	
Proposal	Proposed supermarket (Use Class A1), with car parking, servicing and landscaping	
Ward	East Park;	
Applicant	Aldi Stores Limited	
Cabinet member with lead responsibility	Councillor John C Reynolds 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 Grant subject to planning conditions.

2.0 Application site

2.1 This former Council site, recently transferred to Aldi, is 0.9 ha. and is in a prominent 'gateway' location, adjacent to the traffic island between A454 Willenhall Road, New Road and the Keyway. It is accessed off South Street and Brickkiln Street and was formerly occupied by two tower blocks. The land is now cleared of development and overgrown. There is housing and a vehicle repair garage 'Pole Position' to the south. Crossing the south western part of the site is a public footpath (FP168), which links South Street with New Street.

3.0 Planning History

3.1 12/01241/FUL. Hybrid application: Full application for a nursing home; Outline application for a GP surgery, pharmacy and supermarket. Granted 21.02.13.

3.2 15/00053/REM. Reserved matters for the supermarket. Granted 25.02.15.

4.0 Application details

- 4.1 The current proposal differs from that previously permitted in that the supermarket now also occupies the sites previously proposed for the GP surgery and the pharmacy. Also, a separate vehicle access to service the supermarket from Dilloways Lane was proposed but is no longer.
- 4.2 The proposed supermarket would have a floor space of 1,790 sq.m, 330 sq.m more than that previously permitted.
- 4.3 A modern, contemporary design is proposed for the building which will be sited close to the boundary with the Keyway traffic island.
- 4.4 Parking provision of 103 car spaces is proposed for the supermarket. Additionally, three spaces would be provided for 'Pole Position' garage, (one more than the previous permission). South Street is to be 'stopped up' and a new vehicular and pedestrian access would be provided from New Street.

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)
- 5.3 SDP – Air Quality

6.0 Publicity

- 6.1 Seven objections have been received. Comments summarised as follows:
- Detrimental to highway and pedestrian safety.
 - Object to the closure of South Street and loss of access from Brickkiln Street.
 - Access arrangements and parking provision for 'Pole Position' garage are inadequate, undermining the long term viability of that business.
 - Potential fire risks

7.0 Consultees

- 7.1 Environmental Health – No objection subject to conditions restricting the hours of construction / store opening and deliver hours, external lighting, provision of electrical charging points for 5% of the proposed car parking spaces, ground remediation works and plant and machinery.
- 7.2 Transportation – No objection subject to conditions relating to the installation of bollards to protect the footpaths along Brickkiln Street and New Street, and Traffic Regulation Orders at the junction of the access road and New Street.

8.0 Legal implications

8.1 There are no specific legal implications arising from this report.
(RB31102016/A).

9.0 Appraisal

9.1 The site has an extant permission for a supermarket and although the proposed supermarket would be larger than that previously permitted the submitted retail assessment demonstrates that the proposal is acceptable.

9.2 The proposal includes sufficient car parking and satisfactory access arrangements.

9.3 Regarding the 'Pole Position' garage, the application site does not include any of the land which they lease and there is no planning requirement for Aldi to provide parking for them.

9.4 The proposed building would be 33 metres from the nearest house. This intervening distance, would ensure against any unacceptable loss of light or daylight to neighbouring housing.

9.5 Noise from the supermarket can be kept within acceptable limits by restricting hours of opening, deliveries and refuse collections to those previously approved.

9.6 The ecology survey demonstrates that the site can be developed without any harm to any protected species or habitat, subject to conditions.

10.0 Conclusion

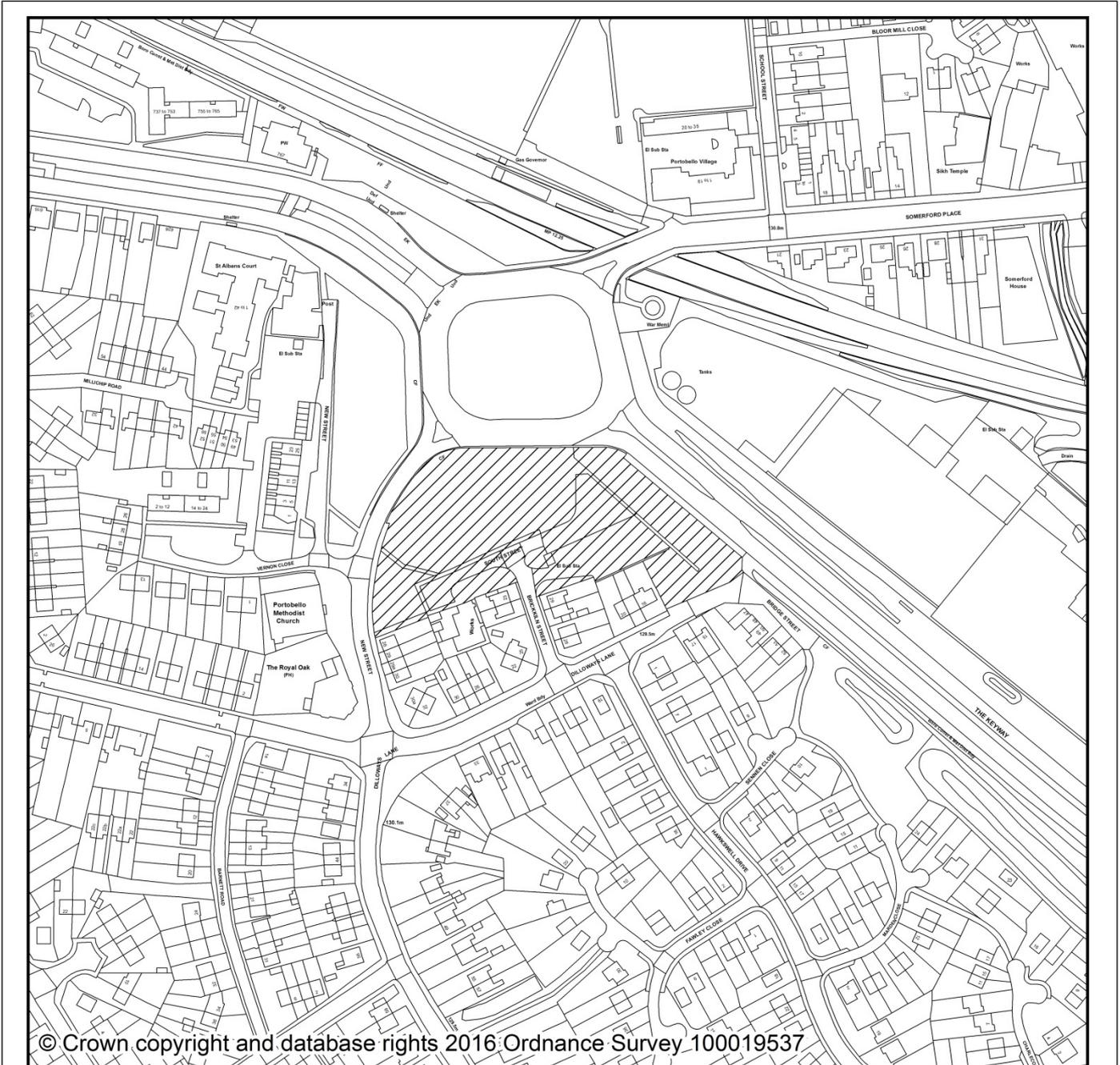
10.1 Subject to conditions as recommended, the development proposal would be acceptable and in accordance with the Development Plan.

11.0 Detail recommendation

11.1 Grant subject to the following conditions including:

- External materials
- Drainage
- Implement ecology recommendations
- Implement mining report recommendations / ground remediation
- Existing and proposed levels
- Landscaping
- Boundary treatments
- 10% renewable energy
- Plant and machinery
- No external shutters or obscuring of shop front windows
- Parking to be provided and retained
- Construction management plan

- Hours of opening to be between 0800 and 2200 hours Mondays to Saturdays and 1000 and 1600 hours Sundays and Bank Holidays
- Hours of deliveries and collection of goods and refuse to be between 0730 and 1800 hours Mondays to Saturdays and 0900 and 1600 hours on Sundays and Bank Holidays.
- Servicing and refuse store details
- Cycle/motorcycle details
- No mezzanine floors/no sub-divisions into smaller units/restrict to deep discount retailer and net internal sales area not to exceed 1,460 sq.m., net internal sales area used for the display and sale of comparison goods not to exceed 150 sq.m.
- Targeted recruitment and training
- Travel Plan Highway improvements to include appropriate surface treatment, signage and road markings along New Street
- No external storage
- Electric car charging points
- Traffic regulation orders at junction of New Street and site access
- Bollards to protect footpaths along Brickkiln Street and New Street



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