

Planning Committee

Minutes - 14 November 2017

Attendance

Councillors

Cllr Dr Michael Hardacre (Chair)
Cllr Harman Banger (Vice-Chair)
Cllr Alan Bolshaw
Cllr Keith Inston
Cllr Welcome Koussoukama
Cllr Anwen Muston
Cllr John Rowley
Cllr Judith Rowley
Cllr Mak Singh
Cllr Wendy Thompson
Cllr Jonathan Yardley

Employees

Bill Hague	Service Manager School Places and Transport
Helen Tambini	Democratic Services Officer
Jennifer Nicholds	Planning Officer
Jenny Davies	Senior Planning Officer
Lisa Delrio	Senior Solicitor
Martyn Gregory	Section Leader
Ragbir Sahota	Planning Officer
Stephen Alexander	Head of Planning
Tim Philpot	Professional Lead - Transport Strategy
Tracey Homfray	Planning Officer

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Phil Page.

2 Declarations of interest

Councillor Hardacre declared a personal interest in respect of agenda item 6, application 17/00877/FUL, 15 Finchfield Hill, Wolverhampton WV3 9DQ, as he was known to one of the speakers, Mrs Sandra Morris whom he had previously worked with some years ago.

3 Minutes of the previous meeting - 12 September 2017

Resolved:

That the minutes of the previous meeting held on 12 September 2017 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 **16/01278/FUL - Hanbury Tennis Club, Hanbury Crescent, Wolverhampton**

The Committee considered a report regarding application 16/01278/FUL, erection of eight low level retractable floodlights on court one (2.75metres lowered, 3.95metres fully extended).

Ragbir Sahota, Planning Officer reported on updates to the report since it had been published. He confirmed that the 3.95metre lighting base would be set at the level of the tennis court and not the raised bed and would not be higher than the fencing. It was proposed that the floodlights would be used during the winter months, for three days a week up until 8:00pm. He confirmed that an additional letter had been received from a neighbour which reiterated previous concerns regarding the impact on the amenity of local residents.

Councillors stated that the additional information received since the deferral of the application at the last meeting had proved extremely helpful. The proposed height of the floodlights was considerably lower than for a previous application for 6metre high floodlights which was refused in 2010 and subsequently dismissed by the Planning Inspectorate at appeal. The 3.95metre height would be a similar height to the fence and would cause minimum inconvenience to local residents, particularly as the use was to be limited. The tennis courts provided a valuable local amenity and its continued use should be encouraged.

Resolved:

That planning application 16/01278/FUL be granted, contrary to the recommendation in the report, subject to any appropriate conditions including those below:

- Use restricted in the winter months to three days a week until 8:00pm.
- Maximum height as referred to in the report.

6 **17/00877/FUL - 15 Finchfield Hill, Wolverhampton**

The Committee considered a report regarding application 17/00877/FUL, proposed alterations to previously approved (16/01326) extension including roof alterations and installation of a dormer window to the rear.

Mrs Sandra Morris addressed the Committee and spoke in opposition to the application.

A representative for the applicant, Mrs R. Kaur addressed the Committee and spoke in support of the application.

Several Councillors referred to the importance of the site visit in highlighting how intrusive the proposed dormer windows would be to neighbouring properties, despite the significant distances involved and suggested that obscure glazing of the dormer windows could be a way forward.

Several Councillors stated that through permitted development rights usually such dormer extensions would be allowed without the need for planning permission. They considered that based on the distances involved and compliance with regulations, the application should be allowed.

Martyn Gregory, Section Leader confirmed that if the proposed dormer windows did not form part of the extension to the new roof, then they could be built without planning permission. He also advised that if the building works were completed without the dormer windows, they could be added separately at a later date, unless a condition was imposed to remove those rights.

A Councillor suggested that an amendment could be made to the proposal to request that the windows should be obscurely glazed to protect amenity of neighbours.

Councillors confirmed that they were happy with the suggested amendment.

Resolved:

That planning application 17/00877/FUL be granted planning permission subject to a condition requiring the windows to be obscurely glazed and the Service Director, City Economy is given delegated authority to determine the level of obscurity of the windows and to the following condition:

- Matching materials.

7 17/00891/FUL - Land on South West Corner of Sun Street, Wednesfield Road/Broad Gauge Way, Wolverhampton

The Committee considered a report regarding application 17/00891/FUL, erection of a food retail store (Class A1) with associated access, car parking, servicing, and landscaping.

Mr Maurice Fosso addressed the Committee and spoke in opposition to the application.

Mr Hamish Latchem addressed the Committee and spoke in support of the application.

Councillors welcomed development on the site. Although the significant residential development on one side was noted, it was considered that the benefits the store would bring to the area would outweigh any possible negative impact.

Jennifer Davies, Section Leader confirmed that the service bay would be located as far as possible from the closest residential property, 60metres away and together with the suggested conditions, it was anticipated that any impact would be mitigated. Due to the proposed extension to the Metro line it would not be possible to add an access or egress to Sun Street.

Several Councillors expressed concern regarding the proposed design of the store elevations, particularly given the prominence of the site as a gateway into the city and they asked officers to speak with the architect regarding possible improvements to those frontages.

Stephen Alexander, Head of City Planning referred to the commitment to good quality design which could be achieved through existing conditions. He suggested that a note could be added to the permission requesting the securing of the highest quality design possible through the use of materials.

Resolved:

That planning application 17/00891/FUL be granted planning permission subject to appropriate conditions to include those below:

- Submission of materials
- Hours of deliveries
- Hours of opening
- Lighting
- Traffic Regulation Order
- Travel Plan
- Boundary wall railing detail
- Cycle shelters
- Reinstate the footpath
- Provision of four electrical charging points
- Construction method statement
- Plant noise restriction
- Site investigation
- Drainage
- Access control to car park
- Renewable energy
- Hours during construction
- Landscaping details.

8 **17/00935/FUL - 1 Woodfield Avenue, Wolverhampton**

The Committee considered a report regarding application 17/00935/FUL, demolition of derelict coach house, extension of car park, extension of existing nursery and landscaping of external teaching areas.

Tracey Homfray, Planning Officer reported on an update to the report since it had been published. She confirmed that 10 objections had been received, rather than the seven as referred to in the report.

Ms Rosemary Watton addressed the Committee and spoke in opposition to the application.

Ms Jenny Truslove addressed the Committee and spoke in support of the application.

Tracey Homfray confirmed that the issues referred to by Ms Watton in respect of the height of the boundary wall, use of the dual car park area, no opening on Saturdays,

the existing entrance gate and patrolling of the car park by staff at opening and closing times were all covered by conditions.

Several Councillors expressed concern regarding the single vehicle access, parking arrangements and associated safety concerns for pedestrians and asked if parking restrictions or zig zag markings could be imposed.

Lisa Delrio, Solicitor advised that any condition imposed on an application had to pass six legal tests. Stephen Alexander, the Head of City Planning and Tim Philpot, Professional Lead – Transport Strategy had given their professional advice that they did not consider that those tests would be met.

Considering the advice given, several Councillors were still concerned about traffic implications and safety and it was proposed and seconded that the application be refused. The motion was defeated.

In answer to a question regarding parking restrictions, Tim Philpot, Professional Lead – Transport Strategy suggested to members that a Traffic Regulation Order would be a possible way forward to deal with their concerns.

Resolved:

That planning application 17/00935/FUL be granted planning permission subject to appropriate conditions to include those below:

- Materials
- Lighting
- Acoustic fencing
- Wall
- Opening times
- External play times (child numbers, times and usage of car park)
- No dig method of car park construction
- Closure of entrance directly from Woodfield Avenue (prior to occupation of the expansion)
- Traffic Regulation Order

9 17/00996/FUL - Ruksar Nursing Home, 26 Park Avenue, Wolverhampton

The Committee considered a report regarding application 17/00996/FUL, change of use from existing care home (C2) to 40 bed student accommodation (Sui-Generis) with addition of roof to create bedrooms.

Councillor Craig Collingswood addressed the Committee and spoke in opposition to the application.

Mr Riyaz Nilan addressed the Committee and spoke in support of the application.

Several Councillors expressed concern that the introduction of 40 students to the area would have a detrimental effect on the amenities of local residents due to increase in noise and traffic.

Jennifer Nicholds, Planning Officer confirmed that the student accommodation would not be run directly by the University but by an experienced national company. The

property could not be converted to a HMO without a separate planning permission, as that came under a different Use Class. Although the original 1980s extension could not be removed, it was hoped that the proposed changes would improve its setting in the Conservation Area. In respect of overlooking from the Velux windows, the windows would be set back and tilted; however, if a very tall person stood at the window they might be able to overlook below.

Several Councillors referred to the current dreadful appearance of the building and the improvements that would be made. They also noted the importance of students to the economy and to the city as a whole and welcomed the development. It was also noted that there would be 24-hour security on site, if any problems did occur.

Resolved:

That planning application 17/00996/FUL be granted planning permission subject to any appropriate conditions including those below:

- Operational hours of construction
- Electric Vehicle Charging Points
- 24 Hour security
- Large scale plans to show window details
- Occupants to be limited to students
- Protection of trees.

10 **17/00915/FUL - Land Adjoining 126 Church Road, Wolverhampton**

The Committee considered a report regarding application 17/00915/FUL, residential development consisting of the erection of 29 new dwellings in total.

Ms Ann Rowlands addressed the Committee and spoke in opposition to the application.

Councillors were still concerned that the previous reasons for refusal had not been addressed and they were particularly concerned about overdevelopment and traffic congestion on Church Road.

Tim Philpot, Professional Lead – Transport Strategy advised the Committee that officers had looked into trip generations based on peak hours and those results had indicated that the number of trips would not cause any significant harm to the highway.

Resolved:

That planning permission be refused for the following reasons:

- Overdevelopment of the site
- Poor impact on neighbouring amenity
- Traffic congestion

11 **17/01089/FUL - Former Wednesfield High School, Lakefield Road Wolverhampton**

The Committee considered a report regarding application 17/01089/FUL, proposed residential development comprising 210 houses and 56 apartments with associated landscaping, highway amendments, parking and ancillary buildings.

Stephen Alexander, Head of City Planning reported on updates to the report since it had been published. He advised that there had been no additional objections following the re-notification which meant that there were three in total. Sports England had withdrawn its holding objection, subject to the imposition of relevant conditions.

A Councillor expressed concern regarding the proposed lack of green space and the importance of ensuring that facilities were available to encourage physical activity, particularly when obesity levels were so high in the city.

Stephen Alexander confirmed that the provision of public open space was of considerable importance in planning terms and had been considered as part of the assessment for the Development Plan. This area had been reviewed and according to the Wolverhampton Open Space Action Plan, there was a surplus of amenity space in the area and the site would have good access to facilities.

A Councillor referred to the significant number of houses and the associated need for school places. She noted that many of the local schools had indicated that they were full and asked for clarification regarding this matter.

Stephen Alexander confirmed that school provision was significant and Planning Services worked closely with officers in Education and the projected number of completed houses formed part of the model used by Education. Officers were aware of the pressures in the Wolverhampton area on both primary and secondary school places and the need to look at longer term options.

Bill Hague, Service Manager School Places and Transport attended the meeting and addressed the Committee and confirmed that officers from Education, Planning and Housing worked together to identify future school placements and had achieved high accuracy levels over recent years. Given both internal and external migration in the city, it was very difficult to get an accurate picture and the pressures in Wednesfield were recognised as the schools in that area were very popular. That highlighted the need for flexibility in future allocations and the situation would continue to be monitored.

Councillors expressed further concern regarding school expansion policies, particularly given the lack of available land in Wednesfield they considered that any future expansion of schools could lead to congestion and associated problems. Before planning permission was granted additional information was required as to where all the children would be placed. They were also concerned about the potential lack of medical facilities, flooding issues, problems with un-adopted roads and the overall poor design and over development of the site.

Given the advice from officers, some Councillors stated that it would be appropriate to give delegated authority to grant permission, with an additional condition asking officers to take appropriate measures to plan for the increased demand for school places in the area.

Given the concerns raised during the meeting, some Councillors suggested that the application be deferred to allow those points raised to be clarified.

Stephen Alexander stated that the Council was very mindful of the significant need for quality housing in the city and the current shortfall in provision and advised that all the concerns raised by members of the Committee could be addressed once the principle of development had been agreed.

Resolved:

That consideration of application 17/01089/FUL be deferred to allow further clarification on the following issues:

- School placements
- Flooding
- Provision of medical facilities
- Un-adopted roads
- Over development and design.