

**Time** 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory  
**Venue** Training Room - Ground Floor - Civic Centre, St Peter's Square, Wolverhampton  
WV1 1SH

## Membership

**Chair** Cllr Dr Michael Hardacre (Lab)  
**Vice-chair** Cllr Harman Banger (Lab)

### Labour

Cllr Alan Bolshaw  
Cllr Keith Inston  
Cllr Welcome Koussoukama  
Cllr Anwen Muston  
Cllr Phil Page  
Cllr John Rowley  
Cllr Judith Rowley  
Cllr Mak Singh

### 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 Services team:

**Contact** Helen Tambini  
**Tel/Email** Tel 01902 554070 or email [helen.tambini@wolverhampton.gov.uk](mailto:helen.tambini@wolverhampton.gov.uk)  
**Address** Democratic Services Civic Centre, 1st floor, St Peter's Square,  
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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	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Minutes of the previous meeting - 14 November 2017</b> (Pages 3 - 10) [To approve the minutes of the previous meeting as a correct record]
4	<b>Matters Arising</b> [To consider any matters arising from the minutes of the previous meeting]
5	<b>17/01089/FUL Former Wednesfield High School, Lakefield Road, Wolverhampton WV11 3ES</b> (Pages 11 - 22) [To consider the application]
6	<b>17/01363/FUL 601 Griffiths Drive, Unit 2, Wolverhampton WV11 2LJ</b> (Pages 23 - 26) [To consider the application]
7	<b>17/01234/FUL 17 Fawdry Street, Wolverhampton WV1 4PA</b> (Pages 27 - 30) [To consider the application]
8	<b>17/01228/FUL Land North East of 32 Laburnum Road, Wolverhampton WV1 2TH</b> (Pages 31 - 34) [To consider the application]
9	<b>17/01282/FUL 530 Wolverhampton Road East, Wolverhampton WV4 6AP</b> (Pages 35 - 40) [To consider the application]
10	<b>17/00885/FUL 185 and 187 Penn Road, Wolverhampton WV3 0EQ</b> (Pages 41 - 46) [To consider the application]

## 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.

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2018</b>
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<b>Planning application no.</b>	17/01089/FUL	
<b>Site</b>	Former Wednesfield High School, Lakefield Road, Wolverhampton WV11 3ES	
<b>Proposal</b>	Proposed residential development comprising 210 houses and 56 apartments with associated landscaping, highway amendments, parking and ancillary buildings	
<b>Ward</b>	Wednesfield South	
<b>Applicant</b>	City of Wolverhampton Council	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Stephen Alexander	Head of Planning
	Tel	01902 55610
	Email	Stephen.alexander@wolverhampton.gov.uk

## **1.0 Summary recommendation**

- 1.1 Grant subject to conditions

## **2.0 Background**

- 2.1 This application was deferred at Planning Committee on 14 November 2017 for further information on school placements, flooding, provision of medical facilities, unadopted roads and density/design. These issues are all addressed in the report.

## **3.0 Application site**

- 3.1 The site is approximately 4.8km to the east of Wolverhampton City Centre and is the site of a former senior school consisting of school buildings which have now been demolished and school playing fields.
- 3.2 The site is adjoined to the north by the playing fields and multi-use games area of Wednesfield High School. To the east and south are residential properties and to the

west, Lakefield Road, which is a tree lined road with grass verges which runs parallel to the site.

- 3.3 The site is 6.9 hectares and predominantly flat, sloping gently from north-west to south-east.

#### **4.0 Application details**

- 4.1 The development proposes 266 units and comprises two, three and four bed houses and two-bedroom apartments. There would be a mix of tenure offering market sale, market rent and 25% affordable housing (affordable rent and shared ownership). The breakdown of those units is:

- 43 two-bedroom, two-storey houses
- 60 three-bedroom, two-storey houses
- 51 three-bedroom three-storey houses
- 9 four-bedroom, two-storey houses
- 47 four-bedroom, three-storey houses
- 56 two-bedroom apartments.

- 4.2 The apartments comprise two, four-storey blocks on the northern boundary of the site. The blocks are rectangular in shape with amenity areas to the west and centre of the blocks. Balconies would provide private amenity space. Parking is provided to the east, west and south of both blocks with provision for cycle parking and bin stores.
- 4.3 There would be one new vehicular access road built to adoptable standards to serve the whole site located opposite the junction with Green Meadow. The junction with Lakefield Road and Meadow Green would be a new signalised junction with associated widening of Lakefield Road.
- 4.4 The layout adopts a place-making approach with three distinct character areas; boulevard, shared surface area and private lane. The boulevard exhibits a more urban aesthetic with a greater height along a wider road. The shared surface area has a mews house type of similar appearance but two-storey in height and the houses on the private roads are more suburban comprising two-storey houses in a more generous setting.
- 4.5 The houses would be of a contemporary design constructed of traditional brick and tiles. The apartments would be constructed of brick, with coloured render inserts and some timber cladding and steel profile roof sheeting.
- 4.6 An area of open space with attenuation basin is proposed in the south-east corner of the site, north of the electricity substation.
- 4.7 Pedestrian access is proposed through two routes created north and south of the main access on Lakefield Road. No pedestrian or vehicular access is proposed through the development site towards the existing housing development adjoining the site to the east (Coltsfoot Close or Heather Close) or to the south (March End Road).

- 4.8 Parking for the houses is primarily within curtilage although in some areas parking is provided on street.
- 4.9 The development will result in the loss of some trees to facilitate the proposed development. A band of trees can be retained on the frontage retaining a wildlife corridor. An area of Millennium planting which is overgrown and comprising mainly shrubs will be removed in part and the planting which remains will be thinned. Additional tree planting is proposed across the whole site.
- 4.10 Accompanying the application are several supporting reports and surveys detailed below:
- Transport Assessment – Aecom – 27 January 2017
  - Framework Travel Plan – Aecom – October 2017
  - Air Quality Assessment – Aecom – October 2017
  - Outline Drainage Design – Aecom – 22 September 2017
  - Sports Pitch Disposal Strategy – 15 September 2017
  - Ecology Report – Camlad – November 2016
  - Flood Risk Assessment – URS – November 2014
  - Environmental Noise Study and Assessment – Noise.co.uk – 10 May 2017
  - Ground Investigation Report – GIP Ltd. – 14 July 2017
  - Arboricultural Advice – Midland Forestry Ltd. – 11 April 2016

The reports are all publicly available on the Council's website on the following link:  
<http://planningonline.wolverhampton.gov.uk:2707/online-applications/applicationDetails.do?activeTab=documents&keyVal=OWBBQ7RWJ4A00>

## **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 Publicity**

- 6.1 Three letters of objection have been received. The planning related concerns are mainly:
- Drainage/flooding
  - Pedestrian access through the site
  - Loss of green space
  - Traffic congestion
  - Overdevelopment
  - Noise during construction

- 6.2 The Council's Housing Development team undertook two community engagement events inviting local residents and local ward councillors to view the proposals, giving an opportunity to comment. The meetings were held on the 7 December 2016 and 22 February 2017 at the Wednesfield Community Centre and Library Hub in Well Lane, Wednesfield. Residents had concerns about the lack of open space, no plans for additional GP surgeries, schools or public transport and a large increase in traffic on an already busy road, the boundary with March End Road, access through the site to Foxglove/Coltsfoot area, loss of trees and the layout generally.
- 6.3 In between the two community engagement events a petition of 91 signatories against the redevelopment of the site was submitted on 11 January 2017 to the Council's Housing Development team. The objections were based on the matters raised at the community engagement event.
- 6.4 Councillor Brackenridge has raised several concerns about the proposal including the operation of the signal controlled junction, impact on Pinfold Bridge and the road network generally from increased traffic, road safety (given the proximity to Wednesfield High School), flooding, pedestrian links through the development, mitigation for loss of playing pitches and lack of school places.

## **7.0 Consultees**

- 7.1 Highways – refer to appraisal
- 7.2 Environmental Health – No objections subject to conditions requiring electric charging points and a Travel Plan to achieve the air quality objectives of the Core Strategy Policy ENV8 and details of ground remediation and gas protection measures recommended by the submitted ground investigation report reference CEB/24095.
- 7.3 The Environmental Noise Study and Assessment dated 10 May 2017 was submitted and recommends acoustic glazing and acoustic vents for residential properties overlooking the substation, and thermal double glazing and acoustic vents for all other properties. In addition, officers also recommend acoustic glazing for residential properties which might be affected by the Multi Use Games Area to the north of the apartments.
- 7.4 Ecology – The Ecological and protected species survey dated November 2016 by Camlad is satisfactory and no further ecological survey work is required but any permission should include a condition requiring the recommendations of the report to be implemented.
- 7.5 Landscape - The development will result in the loss of many mature and young trees. A landscaping scheme has been submitted but should include additional tree planting on site to mitigate for the loss of trees which have to be removed. Some proposed tree species shown are too large for the proposed locations and need to be revised. The final landscape scheme when submitted should include hedge planting along the boundary with the school as it will provide a wildlife corridor along the edge of the playing fields which are relatively barren from a biodiversity perspective.

- 7.6 Education – see appraisal.
- 7.7 Police – there are some issues with surveillance of some small areas of parking within certain parts of the site which should be amended if the developer wants to achieve Secured by Design and the public open space should be well lit to maximise surveillance.
- 7.8 Drainage – The submitted Drainage Strategy demonstrates that the options available would not increase surface water run-off or result in the risk of flooding and subject to a suitably worded condition there are no objections in principle.
- 7.9 Sport England – no objections.
- 7.10 Western Power– no comments.
- 7.11 Archaeology – no objections subject to a condition for a programme of works to be submitted to ensure any archaeology is identified and recorded prior to and during construction.
- 7.12 NHS – Wolverhampton - Clinical Commissioning Group – see appraisal.

## **8.0 Legal implications**

- 8.1 There are no legal implications arising from this report.  
[LD/03012017/A]

## **9.0 Appraisal**

- 9.1 The main issues for consideration are:
- Principle of development (including provision for education and health care)
  - Loss of playing fields
  - Highways and road safety
  - Loss of trees/ecology
  - Drainage
  - Layout, design and density
  - Impact on adjacent occupiers
  - Other matters
- 9.2 Principle of development (including provision for education and health care) – This site was identified as a housing site in the Wolverhampton Strategic Housing Land Availability Assessment (SHLAA) in 2011 after the former school buildings and playing fields became surplus to requirements when the pupils moved from this site to the main school buildings on the adjacent Wednesfield High School. The SHLAA is a record of sites identified as suitable for housing and for inclusion in updated Development Plan proposals.

- 9.3 Wolverhampton, along with all other areas of the country, has to provide a five-year housing land supply to meet the governments targets for providing new homes. This is a large site and if it were not included in the SHLAA for housing, the housing targets set for Wolverhampton could not be achieved without other sites coming forward. This could expose the Council to speculative planning applications in potentially inappropriate locations such as green belt, which would be increasingly difficult to resist. Therefore, identifying suitable sites such as this are key to delivering new homes and the development of this site for 266 homes will make a significant contribution to those housing targets.
- 9.4 The local authority has known for some time through the identification of the site in the Strategic Housing Land Availability Assessment about the potential redevelopment of this site for housing. Levels of surplus places across the city are actively monitored by the Education Department through the School Organisation Team; at present place availability in the Wednesfield area of the city is constrained.
- 9.5 A yield for potential additional pupils from proposed development has been included in the pupil projections which show that there will be very low levels of surplus places available. It is therefore highly likely that additional school places will be required in both primary and secondary phases as the proposed dwellings are built out and the occupancy of the site grows.
- 9.6 There are primary schools in the area which are likely to have the capacity for expansion. Any school expansions would be identified in accordance with the Council's Primary School Organisation Strategy. A proposal has been made by the Education Department to keep the site of the former Wednesfield Village School as a contingency site as opposed to it being disposed of to further meet housing needs.
- 9.7 Demand for secondary school places is increasing across the city and plans are in place for the introduction of additional places for September 2018. This marks the start of a period of sustained growth in secondary age pupils which will require investment in additional secondary school places in the short to medium term.
- 9.8 The expansion of Coppice Performing Arts School and Wednesfield High School is not possible at this point as Central Government policy only allows for the expansion of schools that are rated by OFSTED as Good or Outstanding. At present neither of the two schools meet this requirement, however it should be noted that both schools are on a journey of improvement and may be able to be considered for expansion in future years.
- 9.9 The Council has a statutory requirement to provide a school place for every child that requires one. While the Council do receive some funding for school places from Central Government, historically it has not proved to be sufficient and the Council is therefore required to address any shortfall in Capital and Revenue costs.
- 9.10 There is no Development Plan policy requirement to take account of local health facilities or provision of doctor's surgeries when determining planning applications for a site of this scale and nature. However, it has been confirmed by the Clinical Commissioning Group



(CCG) which is part of the NHS that their main focus is the expansion of the Alfred Squire Road surgery to bring in additional GP support. The CCG is aware of the proposed redevelopment of this site for new housing and the proposed surgery expansion plans are to help provide for this. The GP practice are confident they can cope with that expansion with the extra space to be developed. Planning permission was granted on 25 November 2016 (planning application reference 16/01199/FUL) and construction is likely to start in February 2018, to be completed in Spring. This extension will enable them to have two more consulting rooms in the surgery to provide for additional GP and nursing staff.

- 9.11 In summary, there is a balance between the provision of much needed new homes, particularly of the high quality proposed and the impact such a development will have on existing service provision such as schools and GP surgeries. However, in this case, the local education authority is exploring options for expanding both primary and secondary school places across the City and is continuing its review of education provision in the Wednesfield area and the healthcare agencies already have expansion plans in place for the potential increase in patients as a result of this development.
- 9.12 On this basis, planning permission could not be refused and the principle of residential development is therefore acceptable.
- 9.13 Loss of playing fields – The development would be built on the former playing fields of the school site which have been unused for many years. At the time of the redevelopment of the former Jennie Lee Centre (opposite) for housing it was agreed with Sport England that as mitigation for the loss of playing fields, together with the future loss of playing fields at the Wednesfield High School site, (as the site was identified for redevelopment for housing at that time), replacement pitches would be provided at Coleman Avenue. These pitches have now been provided, and Sport England have no objection.
- 9.14 Highways and road safety – A Transport Assessment has been submitted as part of the planning application which has been conducted to a nationally recognised methodology. It demonstrates that the wider highway network can accommodate the increase in traffic generated from the proposed development.
- 9.15 The Transport Assessment has taken account of the wider highway network. There has been an 18-tonne weight limit on Pinfold bridge for several years which was a structural weight limit due to the condition of the bridge. Now that the bridge has been reinforced, a 7.5 tonne environmental weight limit will be implemented to replace the structural limit as it would not be appropriate for Lichfield Road/Pinfold bridge route to become a major HGV thoroughfare. This is unlikely to lead to a significant displacement of HGV traffic as the existing 18 tonne structural limit currently restricts the level of commercial though traffic over Pinfold Bridge. These restrictions do not apply to public passenger transport buses or coaches.

- 9.16 The single vehicle access point into the proposed development site from A4124 Lakefield Road is acceptable. The location of this access opposite Green Meadow will create a crossroads junction layout that will need to be controlled via a traffic signal junction for road safety reasons and to allow vehicles, especially those turning right in and right out, to access and egress the development safely. The signals would be optimised to prioritise traffic flows on the main road (Lakefield Road) to minimise traffic impacts of the development on the nearby highway network. The signals will include a vehicle detection system to detect vehicles on all approaches and optimise traffic throughout whilst minimising delays on all arms of the junction.
- 9.17 The proposed signal controlled junction would also incorporate a pedestrian crossing facility that would replace the existing pedestrian crossing facility located further south on Lakefield Road. The development includes two emergency access points for emergency services.
- 9.18 Most of this development is located in an area that has been identified as being outside of a 'highly accessible' area according to the criteria set out in the City of Wolverhampton Councils Unitary Development Plan (UDP). The 'unique' nature of the layout has demonstrated that the proposed road space \ carriageway space is of sufficient width to accommodate the general and visitor parking that will be required, whilst still allowing an appropriate level of space for the largest vehicles anticipated to require access to the properties to manoeuvre around the site in a safe manner. The proposed car parking provision comprises both in-curtilage and on-street parking. The provision of tandem parking is not the preferred option but where these are proposed, additional on-street parking is provided.
- 9.19 The proposed car parking provision for the apartments is very slightly below the recommended requirement for residential use. However, this provision is acceptable for the apartment complex. It is acknowledged that none of the apartments are being specifically designed for disabled use however, the four larger parking spaces are in a good location and can be turned into disabled parking bays should the need arise in future. The quantity and location of the cycle parking for the apartments is acceptable and the location of the single bin store is acceptable for the refuse collection vehicle and operatives to easily access.
- 9.20 There is a hierarchy to the carriageway design. The main boulevard is a more traditional layout with footways on both sides and has been widened to accommodate on-street parking spaces due to the number of large dwellings with triple tandem parking arrangements. Traffic calming is generally acceptable and can be conditioned.
- 9.21 The shared surfaces have a minimum highway corridor width of 7.5 metres to allow for two-way traffic and safe areas either side of the main carriageway for the movement of pedestrians. There needs to be a clear definition between the corridor boundary and the space that will be part of the residential properties and to accommodate the needs of the partially sighted which can be achieved with appropriate use of materials and kerb height.
- 9.22 There are a small number of private access roads proposed which consist of five dwellings or less. These areas consist of two or three properties either side of a short

road length and would satisfy the requirements of the City of Wolverhampton Council standards. Their layouts are designed so that all the vehicles anticipated to require access to that part of the development are able to manoeuvre in and out of the private drives in a safe manner.

- 9.23 Loss of trees and ecology – The development would result in the loss of a number of trees on the frontage and on the eastern boundary of the site in the area of the Millennium Forest. A replacement planting scheme is proposed and the retention of a linear tree belt along Lakefield Road and management of the remaining Millennium planting will significantly enhance the wildlife habitat. Additional tree planting should be incorporated into the final scheme but this can be conditioned.
- 9.24 The submitted ecology report also recommends the retention of existing mature trees of value for nesting birds where possible, the younger woodland planting on the eastern boundary of the site should be selectively thinned so as to retain the oak, birch, willow, alder, wild cherry and field maple with hawthorn and hazel, mature trees with a stem diameter of over 500mm should be checked for bat roosts before felling. If the site is cleared during the bird breeding season from mid-March until the end of August advice should be sought from an ecologist before clearance starts and bird and bat boxes should be provided on mature trees, on the new buildings and on poles. These recommendations can be conditioned.
- 9.25 Drainage – The outline strategy proposes the use of an attenuation basin to restrict surface water discharge from the site and this is acceptable in principle. The report submitted indicates that a gravity solution is achievable and in a situation where the amount of surface water was too great to discharge by gravity a pump is proposed but this is not the favoured solution and measures would need to be in place should the pump fail, or the attenuation storage was full or a design storm occurred. One alternative is to have a wider and shallower attenuation basin to discharge as much surface water run-off through a gravity system as possible. Other alternatives include oversized pipes and underground tanks which are options also being explored. A sewer capacity study is being undertaken but will not be available until mid-January 2018. This will determine the most appropriate drainage solution. There are drainage solutions available and the details can be satisfactorily dealt with by condition on the basis that if the details are not satisfactory, the condition will not be discharged.
- 9.26 Layout, design and density – The housing is set back over 20 metres from Lakefield Road as a result of an underground sewer but this set back enables a large number of mature and established trees and a wildlife corridor along a busy urban route to be retained. This creates a green and natural setting to enhance the new development.
- 9.27 The site is within close proximity to nine-storey high-rise flats and a two/three-storey school building. The proposed four-storey height and massing of the proposed

apartments is in-keeping with the scale of its surroundings. The two/three-storey houses are in-keeping with the scale and height of existing residential properties.

- 9.28 The development would provide a contemporary bespoke design with traditional building materials. The hierarchy of streets resulting in a strong urban rhythm on the main route, which is reduced in scale towards the rest of the site is an appropriate design solution and adopts the fundamental principles of a successful housing layout and in general terms is acceptable in planning terms.
- 9.29 The development would provide a density of 49 dwellings per hectare. BCCS policy HOU2 – Housing Density, Type and Accessibility identifies a density of between 45 – 60 as high density but is suitable for family housing. The density is at the lower end of the spectrum and is one indication that the proposal would not result in overdevelopment. The separation distances between the rear boundaries of the new houses meet the minimum standards of SPG3 – Residential development and in many cases, exceed the minimum distance of 22 metres. The garden shape and sizes varies across the development but all meet the minimum overall size of 55 square metres.
- 9.30 The development includes an area of land which is undeveloped for housing and will be used as public open space. The useable area measures approximately 50m x 60m and will provide a natural landscape setting within a modern urban city location. The development would provide sufficient parking and therefore in all regards the development is not considered to result in over development.
- 9.31 Impact on adjacent occupiers – There would be a distance in excess of 12 metres between the rear of existing properties in March End Road and the proposed side gables of the houses along the southern boundary which is the minimum separation distance specified in SPG3 – Residential Development. Together with proposed landscaping there would be no overlooking or loss of privacy to existing occupiers.
- 9.32 Other Matters – An Air Quality Assessment has been submitted and has demonstrated that the development would fall within the ‘medium’ category which requires that a travel plan and where practicable, electric vehicle charging points (EVCP) should be installed for each house and one EVCP should be installed for every 10 parking spaces for the apartment blocks. This can be secured through condition.
- 9.33 The planning system has a role to play in creating healthy, inclusive communities by improving access to, and providing opportunities for sports and recreational facilities which can improve the health and well-being of communities. The development includes a well-designed and useable area of open space which has appeal to all ages and abilities and without play structures to minimise the risk of creating opportunities for anti-social behaviour and which future residents often seek to have removed. There are sufficient local play facilities in the Wednesfield area and therefore additional provision is not required.

## **10.0 Conclusion**

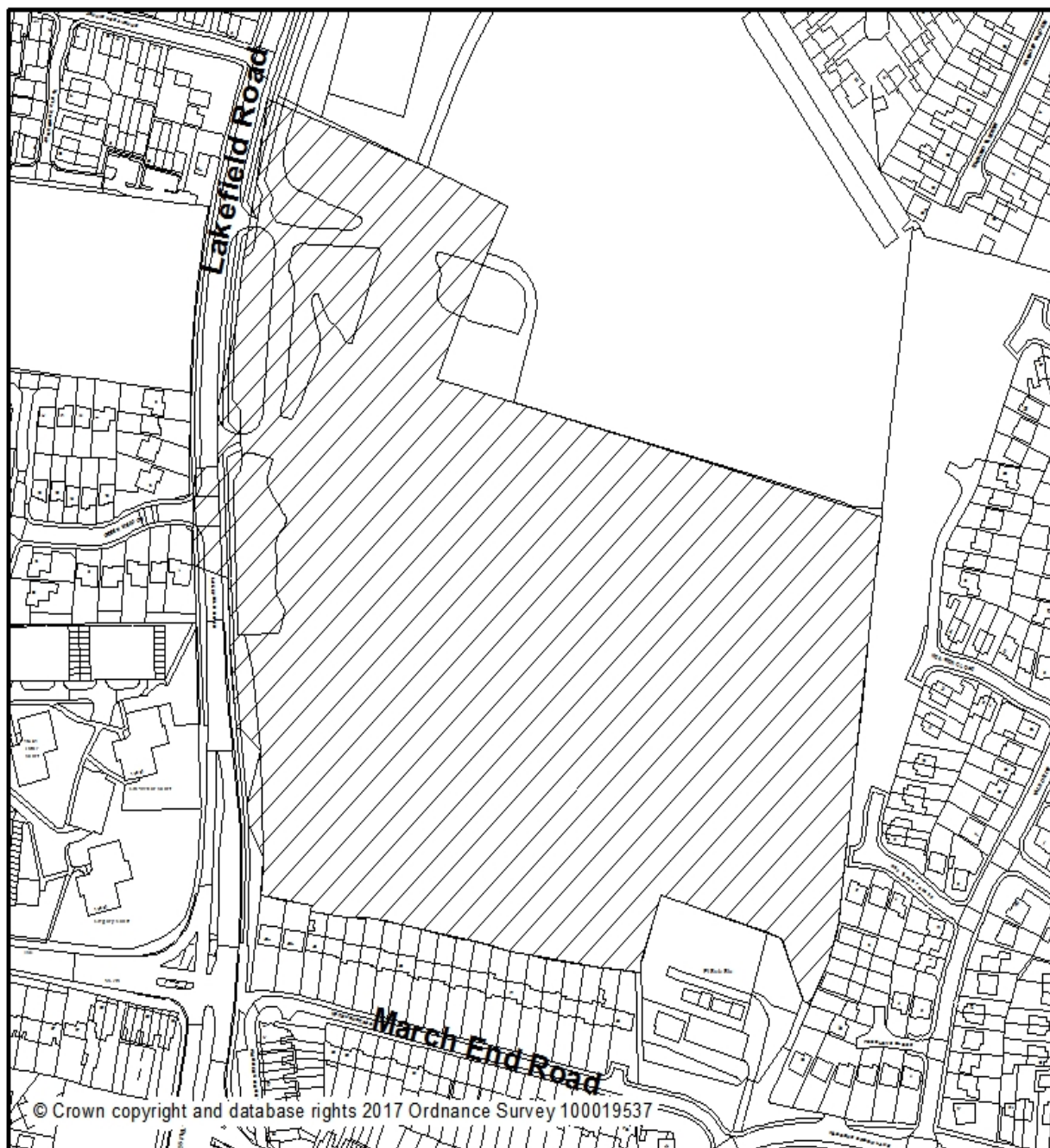
- 10.1 The development is acceptable in principle and would provide much needed housing in the City, creating new communities with housing of an appropriate tenure mix and high quality bespoke design. The development would be acceptable in highway terms subject to a new traffic signal junction and relocation of the existing pedestrian crossing. The development is unlikely to result in any flooding with the final details to be submitted by condition. The development is acceptable in planning terms and in accordance with development plan policies.

## **11.0 Detail recommendation**

- 11.1 That planning application 17/01089/FUL be granted planning permission subject to conditions including those below:

- Affordable housing
- Submission of materials
- Landscaping (including street furniture)
- Accordance with recommendations of ecology survey
- Bird and bat boxes
- Signalised junction improvements
- Archaeological watching brief
- Submission of drainage details
- Travel Plan
- Traffic calming measures
- Electric charging points
- Renewable energy
- Boundary treatments
- Management company
- Tree protection fencing
- Construction Management Plan
- Acoustic/thermal glazing and vents
- Bin store design
- Provision of cycle storage
- Finished floor levels
- Lighting for public open space
- Land remediation and gas protection measures.

Note for Information – Mining advisory



<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 16 January 2018</b>	Agenda Item No: 6
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<b>Planning application no.</b>	17/01363/FUL	
<b>Site</b>	601 Griffiths Drive, Unit 2, Wolverhampton, WV11 2LJ	
<b>Proposal</b>	Change of use from Class A1 (Retail) to Sui Generis (Sunbed Salon)	
<b>Ward</b>	Wednesfield North	
<b>Applicant</b>	Indigo Sun Retail Ltd (Mr Frank Taylor)	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Planning Officer Tel Email	Ragbir Sahota 01902 555616 ragbir.sahota@wolverhampton.gov.uk

## **1.0 Summary recommendation**

1.1 Grant.

## **2.0 Application site**

2.1 The application site is the former grassed area within the car park to the Ashmore Public House which now comprises two retail units. The site is within the Ashmore Park local centre and has residential houses situated to the rear.

2.2 One unit has been occupied by a Co-op food store whilst the application site remains vacant. An application 16/00730/FUL for a Class A1 (Retail)/Class A5 (Hot Food Take Away) was withdrawn as insufficient information with regards to fume extraction systems was provided.

## **3.0 Application details**

3.1 The application proposes to change the use of the premises from a Class A1 (Retail) to a Sui Generis use comprising a sunbed salon. The premises would employ four full-time

equivalent employees and proposes to open from 9am – 10pm Monday to Friday, 9am – 7pm Saturday and 9am – 5pm Sunday and Bank Holidays.

- 3.2 The units were built with 14 parking spaces for the new retail units and there were 24 parking spaces for the public 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)

#### **5.0 Publicity**

- 5.1 Two letters of objection including one from Councillor Bateman and a petition with 164 signatures has been received objecting to the proposal. The reasons for opposing the application are: limited parking, traffic safety and vehicular movements, competition, loss of jobs to existing businesses and impact to public safety due to the sensitive location with businesses, nurseries and child care facilities.

#### **6.0 Consultees**

- 6.1 Environmental Health require the proposal to be conditioned to submit a noise assessment from plant and machinery and refuse details, delivery details and opening hours to be as per the proposal.
- 6.2 Transportation raise no objection to the proposal as the site is within a highly accessible location and it is considered that the sunbed salon is unlikely to generate a greater parking demand or trip rate than the existing use and will therefore not have a severe impact on the site itself or the surrounding highway network.

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report.  
[LD/21122017/A]

#### **8.0 Appraisal**

- 8.1 The application site is within a local centre and the premises have been vacant since it was built in 2016. The use of the premises as a sunbed salon is considered appropriate in a local centre which would add to the vitality and viability, bring the premises into use and create jobs.



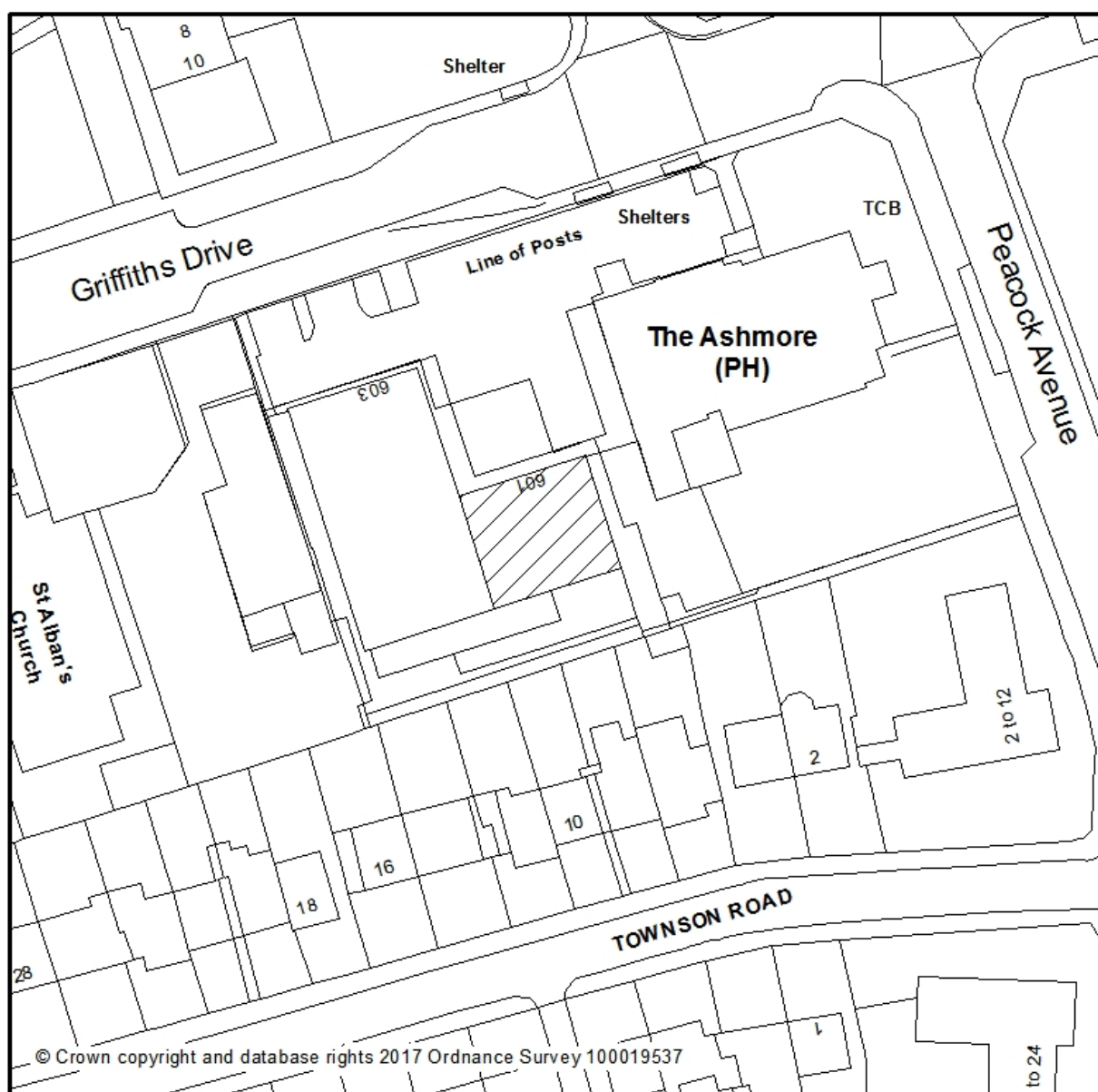
- 8.2 The proposal is not considered to have a severe impact on the highway network or the site itself as the site is within a highly accessible location with adequate parking available on site.

## **9.0 Conclusion**

- 9.1 The proposal is consistent to a use within a local centre with no severe impact on the highway network or the site itself and the proposal is therefore considered to be acceptable and in accordance with the policies in the Development Plan.

## **10.0 Detail recommendation**

- 10.1 That planning application 17/01363/FUL is approved subject to the following conditions:
- Hours of opening 9am – 10pm Monday to Friday, 9am – 7pm Saturday and 9am – 5pm Sunday and Bank Holidays
  - Details of plant and machinery
  - Ventilation systems
  - Hours of deliveries 8am – 6pm Monday to Saturday and 9am – 6pm Sunday and Bank Holidays
  - Refuse details
  - Cycle storage.



## Planning Committee

### Tuesday, 16 January 2018

<b>Planning application no.</b>	17/01234/FUL	
<b>Site</b>	17 Fawdry Street, Wolverhampton, WV1 4PA	
<b>Proposal</b>	Conversion of property into a five-bedroom House in Multiple Occupation.	
<b>Ward</b>	St Peters	
<b>Applicant</b>	Ms Belise Niri	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Jennifer Nicholds Tel Email	Planning Officer 01902 555699 Jennifer.Nicholds@wolverhampton.gov.uk

#### 1.0 Summary recommendation

1.1 Grant subject to conditions.

#### 2.0 Application site

2.1 The site is a three-bedroomed semi-detached house in a street of similar houses. The dwelling is currently vacant. There is no parking within the curtilage.

#### 3.0 Application details

3.1 It is proposed to convert the existing house into a five-bedroomed House in Multiple Occupation (HMO), with three bedrooms on the first floor, two on the ground floor and a shared kitchen and living 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 Two letters of objection were received. The reasons for objection include:
- Impact on amenity, including waste;
  - Highway safety, including increase in road traffic and road parking;
  - Fear of crime.

## **6.0 Consultees**

- 6.1 Environmental Health: no adverse comments.
- 6.2 Police: no adverse comments.
- 6.3 Transportation: no objections subject to conditions.

## **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report.  
[RB/08012018/V]

## **8.0 Appraisal**

- 8.1 HMOs are a different use class to a single dwelling house because they can be different in character. In some cases, they can provide much needed acceptable accommodation for people in housing need. However, if they are not properly designed and managed they can give rise to anti-social behaviour and cause a fear of crime. To address this issue the Council, as the local planning authority, has introduced an Article 4 Direction that means all proposals for HMOs of three or more people require planning permission. This allows the local planning authority to consider each application on its own merits, considering:
- i) The impact on the character of the area, taking account of the character of the existing use compared to the character of the proposed use.
  - ii) The potential for anti-social behaviour and fear of crime, taking into account evidence from neighbours and the Police.
  - iii) The creation of safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion (National Planning Policy Framework paragraph 69).
  - iv) The potential impact on highway safety.
- 8.2 The occupation of this property as a HMO would not be out of character as it is situated in an area with a mix of property types and tenure. The coming and going of five people to the property compared with that of a family, although materially different, will not cause an unreasonable negative impact on neighbour amenity.

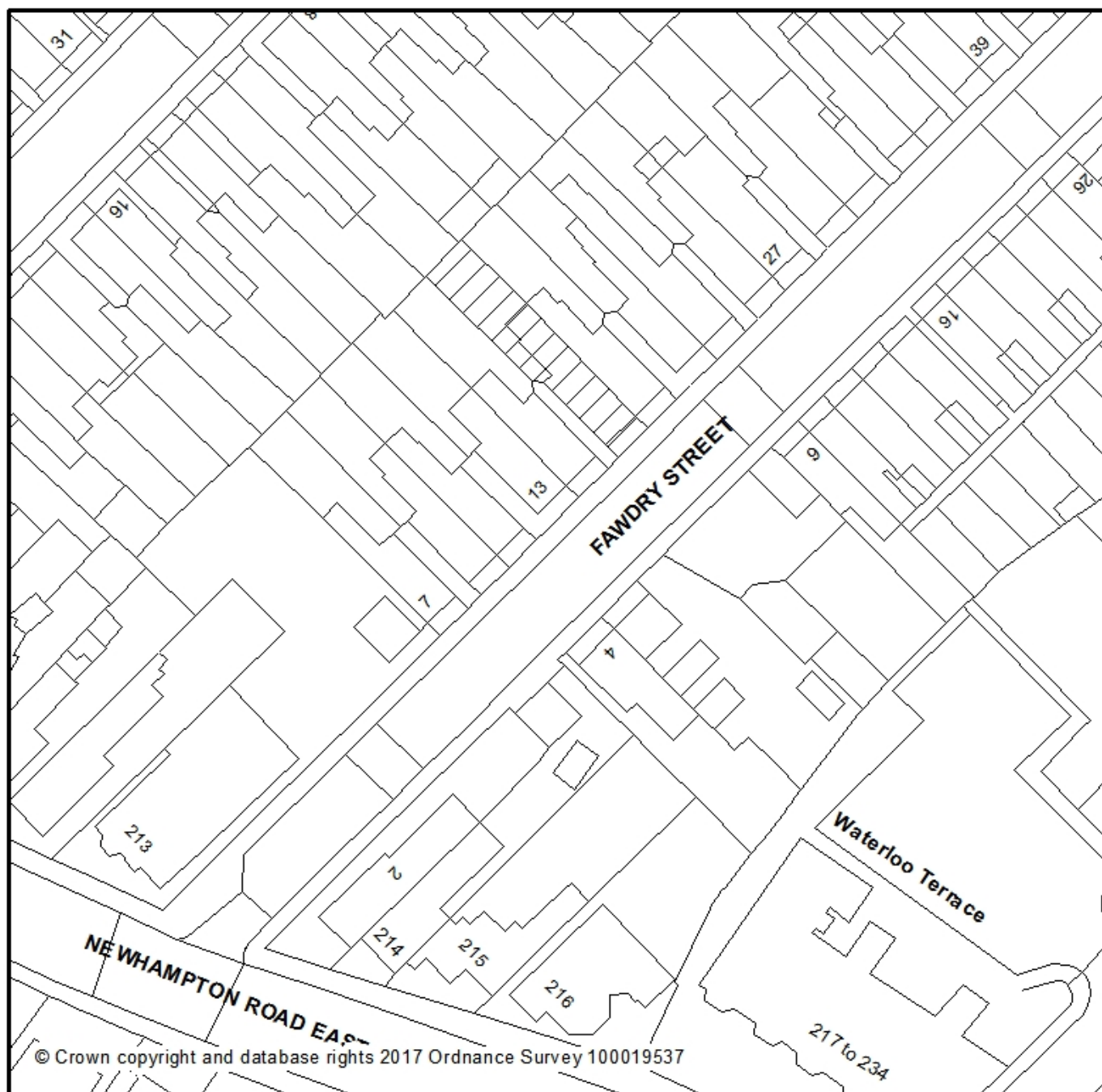
- 8.3 The location is served by a good bus service, is in close proximity to local amenities and is in walking distance to Wolverhampton City Centre. The proposed use is likely to generate a similar car parking demand as the existing dwelling. Therefore, this will not cause any significant highway safety issues.
- 8.4 The Police have no objections regarding the principle of the development as the development would not create an unreasonable fear of crime in this case.
- 8.5 Bins are to remain at the front of the property as with the existing dwelling. The occupation of five people at the property as a HMO is unlikely to cause significantly more waste than a single occupancy family. There were no objections for the bins to remain at the front of the property.

## **9.0 Conclusion**

- 9.1 The proposed development is acceptable and in accordance with the Development Plan.

## **10.0 Detail recommendation**

- 10.1 That planning application 17/01413/FUL be granted planning permission subject to any appropriate conditions including those below:
- Cycle Parking
  - Limit to the number of occupiers
  - Remove PD rights.



<b>Planning application no.</b>	17/01228/FUL	
<b>Site</b>	Land North East of 32 Laburnum Road, Wolverhampton WV1 2TH	
<b>Proposal</b>	Erection of one, four bed house	
<b>Ward</b>	East Park	
<b>Applicant</b>	Mr Wojcik	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Planning Officer	Ragbir Sahota
	Tel	01902 555616
	Email	ragbir.sahota@wolverhampton.gov.uk

## **1.0 Summary recommendation**

- 1.1 Delegated authority to the Service Director, City Economy to Grant planning permission for application 17/01228/FUL subject to conditions and the outcome and assessment of a Coal Mining Risk Assessment.

## **2.0 Application site**

- 2.1 The application site is at the end of an enclave on Laburnum Road, in a residential cul-de-sac comprising semi-detached and detached, two-storey houses. The application site is accessed only by a pedestrian footpath. Houses line either side of the footpath which are similar in terms of their design, size and plot widths although the end plots on either side, including the application site, are slightly larger. The generally uniform design of the houses, the spaciousness between them, and their set back position with open front gardens creates a pleasant, spacious character to the area.
- 2.2. The site is currently overgrown. The site is similar in depth to the neighbouring properties and is slightly wider. The property opposite the site at 30a Laburnum Road, is on a plot with a similar width and does not appear to have been part of the original enclave development. Whilst the house is slightly wider than the other properties on the street, the plot to building ratio is in keeping and there is adequate spacing either side that retains the spaciousness of the area.

### **3.0 Application details**

- 3.1 The application is for the erection of one, four bed detached house.
- 3.2 The application has been submitted following a recently dismissed appeal for the erection of two, two bed semi-detached houses on 14 July 2017 (16/00722/FUL). The Inspector concluded that the two houses would harm the character and appearance of the area, represent a cramped form of development that would appear overdeveloped and inconsistent with the regularity of the design of the other properties within this enclave, the prevailing pattern of development and would significantly diminish the spaciousness of the area.
- 3.3 Application 04/1199/OP/R – Outline application for the erection of one, two bed detached dwelling was granted on 14 September 2004.

### **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 and a petition containing 20 signatures has been received objecting to the proposal. The main reasons for objecting are: access to the site, drainage issues, overdevelopment of the site, parking and the possibility of the house being used as flats.

### **6.0 Consultees**

- 6.1 Environmental Health, Severn Trent Water and Transportation raise no adverse objections to this proposal.
- 6.2 The application site is within a high-risk coal mining area and therefore a Coal Mining Risk Assessment is required.

### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report. (LD/21122017/A)

### **8.0 Appraisal**

- 8.1 In determining the appeal for two houses, the Inspector noted that the site opposite at 30a Laburnum Road is on a plot with a similar width to the application site which does not appear to be part of the original enclave development. This being the case, it is



considered that whilst the site can be developed, the two houses represented an overdevelopment of the site not in keeping with the area and the appeal was accordingly dismissed.

- 8.2 Whilst concerns of neighbours in respect of drainage and parking were considered, the Inspector determined that parking on street was adequate and drainage was a matter for the landowner to resolve.
- 8.3 The main consideration in determining this proposal is the scale, appearance and design of the development. The proposed four bed detached house is of a scale, design, height and massing now in keeping with the other properties in this enclave, particularly the one at 30a Laburnum Road and therefore does not adversely detract from the character and appearance of the area or the adjoining properties, will have no adverse neighbour impact and has adequate amenities to support the new house.

## **9.0 Conclusion**

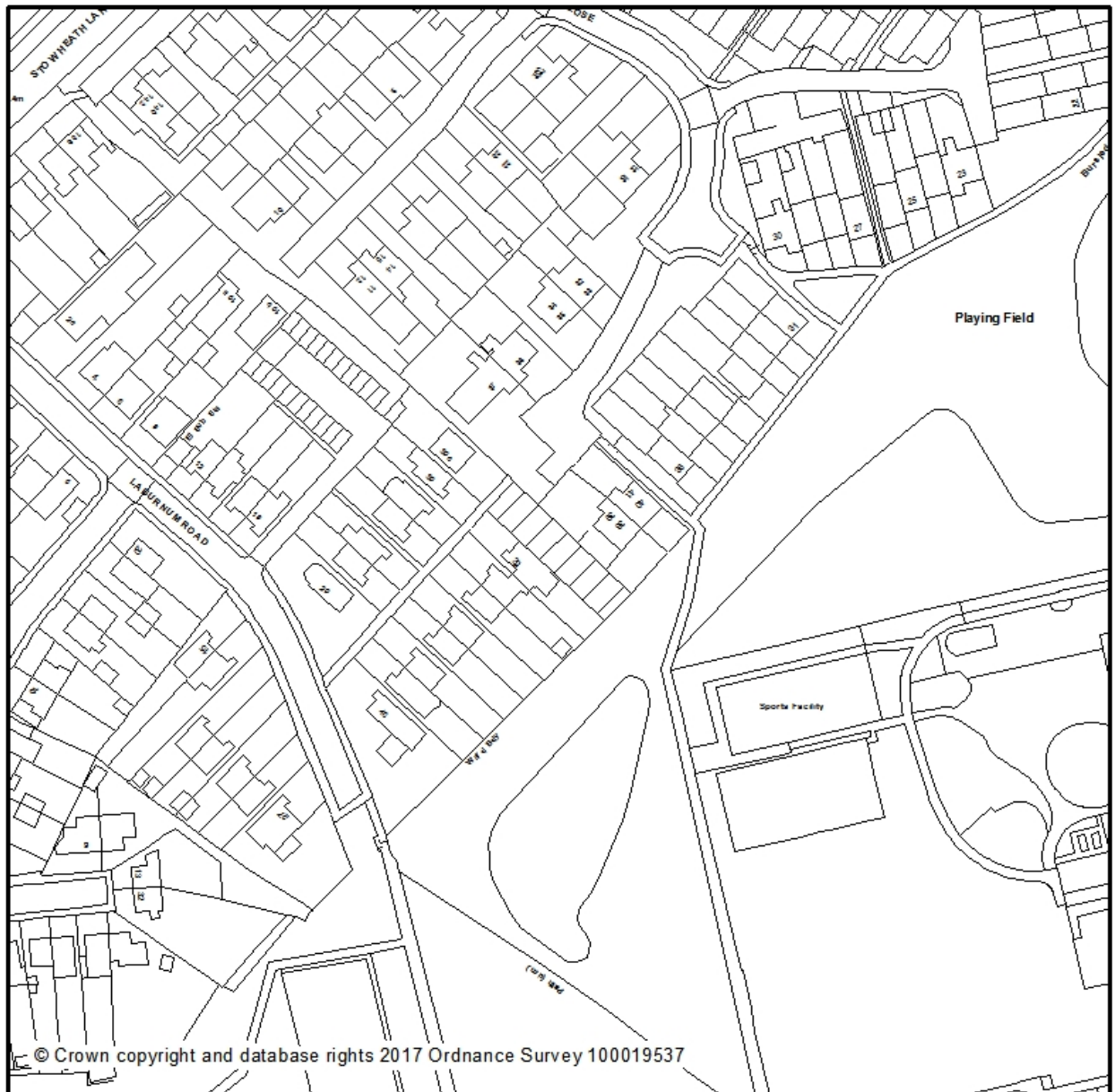
- 9.1 The proposal is of a scale, design and appearance as not to detract from the existing properties or the character and appearance of the area and is therefore considered acceptable and in accordance with the policies in the Development Plan.

## **10.0 Detail recommendation**

- 10.1 That the Service Director, City Economy be given delegated authority to grant planning permission for application 17/01228/FUL subject to conditions including those listed below and subject to:

The outcome and assessment of a Coal Mining Risk Assessment

- Submission of materials
- Landscaping details
- Drainage details
- Levels
- Coal Mining Risk Assessment
- Site investigation
- Electric re-charging point
- Operational hours of development



<b>Planning application no.</b>	17/01282/FUL	
<b>Site</b>	530 Wolverhampton Road East, Wolverhampton, WV4 6AP	
<b>Proposal</b>	Conversion of property into a six-bedroom House in Multiple Occupation.	
<b>Ward</b>	Blakenhall	
<b>Applicant</b>	Mr Felix Adane	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Martyn Gregory	Section Leader
	Tel	01902 551125
	Email	<a href="mailto:martyn.gregory@wolverhampton.gov.uk">martyn.gregory@wolverhampton.gov.uk</a>

## **1.0 Summary recommendation**

- 1.1 Grant subject to conditions.

## **2.0 Application site**

- 2.1 The application site consists of a large traditional (four bed) semi-detached dwelling with rear garden, which is situated on a busy main road frontage (Wolverhampton Road East).
- 2.2 The property sits within a short row of similar semi-detached dwellings. The area consists of semi-detached dwellings, an old peoples home, a car repair garage and flats at the corner junction of Parkfields Road and Wolverhampton Road East. The site lies near to a wide variety of local amenities and a frequent bus service.
- 2.3 There is no off-street parking available for this property, residents park on the road at the front.

## **3.0 Application details**

- 3.1 The proposal seeks to convert the existing four-bedroom dwelling into a six-bedroom House in Multiple Occupation (HMO). This would consist of a reception room, kitchen and bathroom with two bedrooms at ground floor, three bedrooms and a bathroom at first floor and one bedroom at the second floor.

#### **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 Supplementary Planning Guidance No.3 (Residential Development)

#### **5.0 Publicity**

- 5.1 15 neighbours and a councillor have written to object, their concerns include the following:
  - Vermin
  - Noise
  - Drainage
  - Insufficient parking
  - Highway Safety.
- 5.2 The applicant has submitted a letter in response to the objections as follows:
  - The property is for a small HMO (three to six people only).
  - As a household, the property could cater for a large family of up to ten people.
  - The property will be managed by a lettings agent who specialises in HMO property management where all tenants will have to adhere to the management company rules.
  - Although there is no off-street parking, there is sufficient space at the rear for a cycle store and that the property is very close to local bus services.
  - People living in a HMO tend not to be in possession of a car.

#### **6.0 Consultees**

- 6.1 Environmental Health: no adverse comments.
- 6.2 Police: no adverse comments.
- 6.3 Transportation: no adverse comments.
- 6.4 Housing have confirmed that all room sizes comply with Wolverhampton space standards.

#### **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report.  
[RB/08012018/G]

## 8.0 Appraisal

- 8.1 HMOs are in a different use class to single dwelling houses because generally they can be different in their character. In some cases they can provide much needed acceptable accommodation for people in housing need. On the other hand, if they are not properly designed and managed they can give rise to anti-social behaviour and create a fear of crime. To address this issue the Council, as local planning authority, has introduced an Article 4 Direction that means all proposals for HMOs of more than three people require planning permission. This allows the local planning authority to consider each application on its own merits, taking into account:
- i) The impact on the character of the area, taking account of the character of the existing use compared to the character of the proposed use.
  - ii) The potential for anti-social behaviour and fear of crime, taking into account evidence from neighbours and the Police.
  - iii) The creation of safe and accessible environments where crime, disorder, and the fear of crime, do not undermine quality of life or community cohesion. (National Planning Policy Framework Paragraph 69).
  - iv) The potential impact on highway safety.
- 8.2 In this case, the occupation of this property by six people would not be out of character in this area because the existing dwelling has a total of four bedrooms, a family room and a kitchen. Without changing the use of the property, as a household, it can accommodate a family of six or more without restrictions.
- 8.3 The location is served by a good bus service, is in close proximity to local amenities and is in walking distance to the local centre of Blakenhall. There is no scope to improve in-curtilage parking. However, the proposed use is likely to generate a similar car parking demand as the existing dwelling. In addition, the property has a large rear garden and to encourage other means of transport, a cycle store in this space would be required as a condition.
- 8.4 The Police have confirmed that they have no objections to the proposed use of the property.
- 8.5 In regard to the storage of waste, the property has the benefit of a large rear garden and a condition for the provision of a covered bin store in this area would be required.
- 8.6 For the reasons outlined above, the change of use of the application site into a small HMO is considered acceptable. However, a condition would be required to control the number of people living on the premises of up to six people at all times.

## **9.0 Conclusions**

- 9.1 The site is in an area with an excellent bus service and near local amenities. The applicant will be required by conditions to provide suitable cycle parking and a bin store area to avoid any adverse effect on neighbours' amenities.
- 9.2 The number of residents would be conditioned in accordance with the property layout and to protect residential amenity.
- 9.3 On balance therefore, the proposed use is acceptable and in accordance with the Development Plan.

## **10.0 Detail recommendation**

- 10.1 That planning application 17/01282/FUL is granted subject to the following conditions:
- Provision of covered bin store area
  - Provision of cycle store
  - Restriction to no more than six residents
  - Remove permitted development rights for any extensions.



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## Planning Committee

### Tuesday, 16 January 2018

<b>Planning application no.</b>	17/00885/FUL	
<b>Site</b>	185 and 187 Penn Road, Wolverhampton, WV3 0EQ	
<b>Proposal</b>	Change of use from two semi-detached dwellings to a 12-bedroom House in Multiple Occupation	
<b>Ward</b>	Blakenhall	
<b>Applicant</b>	Mr J Bisla	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Alisha Paul	Planning Officer
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#### 1.0 Summary recommendation

1.1 Refuse.

#### 2.0 Application site

2.1 The site consists of a pair of semi-detached dwellings on Penn Road in the Copthorne Road Conservation Area. The area is characterised by large plots and long private gardens. The dwellings are currently used as family homes. Planning permission has previously been granted for the change of use of both dwellings to a care home.

#### 3.0 Application details

3.1 The proposal seeks a change of use of two semi-detached dwellings to a 12 bedroom House in Multiple Occupation (HMO). The proposal includes a car park in the rear garden, accessed from Penn Road, providing a total of eight car parking spaces. A refuse store (waste and recycling) is proposed at the rear, accessed from Hayling Grove.

#### 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 52 letters of objection were received from 26 households.

The reasons for objection include:

- (i) Impact on amenity, including noise;
- (ii) Highway safety, including increase in road traffic and road parking;
- (iii) Impact on the character of the conservation area;
- (iv) Loss of two family homes.

## **6.0 Consultees**

- 6.1 Environmental Health: no objections subject to conditions.
- 6.2 Transportation: no objections subject to conditions.
- 6.3 Police: object based on fear of crime.

## **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report.  
[RB/08012018/K]

## **8.0 Appraisal**

- 8.1 HMOs are in a different use class to single dwelling houses because generally they can be different in their character. In some cases they can provide much needed acceptable accommodation for people in housing need. On the other hand, if they are not properly designed and managed they can give rise to anti-social behaviour and cause a fear of crime. To address this issue the Council, as local planning authority, has introduced an Article 4 Direction that means all proposals for HMOs of three or more people require planning permission. This allows the local planning authority to consider each application on its own merits, taking into account:

- i) The impact on the character of the area, taking account of the character of the existing use compared to the character of the proposed use.
- ii) The potential for anti-social behaviour and fear of crime, taking into account evidence from neighbours and the police.
- iii) The creation of safe and accessible environments where crime, disorder, and the fear of crime, do not undermine quality of life or community cohesion. (National Planning Policy Framework Paragraph 69).
- iv) The potential impact on highway safety.

- 8.2 The occupation of this property by 12 people would be out of character in this area as it will adversely impact the character of the conservation area. It would not contribute to the creation of a safe and accessible environment and as such the resultant fear of crime could undermine the quality of life and community cohesion (NPPF paragraph 69).
- 8.3 The intensification of use of the house for up to 12 people, each possibly acting as a separate household, with their own friends, families, lifestyles and patterns and times of movements, would be significantly greater than that of two family homes. The proposal would house 12 individual occupants, this would detract from the present level and quality of residential amenity in the area, significantly increasing the potential for noise and disturbance, particularly in terms of increased comings and goings from Hayling Grove where a new access is proposed. The property contains an unusually large number of 'communal rooms' which were originally marked as bedrooms (the original proposal was for 17).
- 8.4 The proposed car park in the rear gardens of the properties would result in excessive utilisation of garden land for parking and would result in the loss of green space and private amenity space which is important to the character of the Conservation Area. The proposal fails to enhance or preserve the character of the Conservation Area.
- 8.5 Police have objected to this proposal on the grounds of the development being contrary to the promotion of a safe and accessible environment where the fear of crime would undermine quality of life and community cohesion (NPPF paragraph 69). The introduction of a concentration of individual residents is concerning as crime figures for the immediate area show signs of anti-social behaviour and acquisitive crime. Figures show that crimes such as possession of offensive weapons, drugs offences and causing harassment alarm and distress have been reported since October 2016.
- 8.6 The development includes a driveway that runs from the rear of the property to the front. This creates permeability within the site and could be used as a cut-through as the plans specify no clear separation or boundary treatment. Coupled with the above crime statistics, it is likely that this increase in permeability and lack of a defensible perimeter will make both the development and the residents within it more vulnerable to both vehicle crime and burglary.
- 8.7 No management plan for the property has been provided. Police have quoted that residents within HMO's are up to eight times more likely to suffer from mental health issues than residents in single dwelling properties. A proposal of 12 persons living in this type of premises without correct management or access to services is not promoting a safe and cohesive environment.
- 8.8 The alleyway to the side of the premises is considered a crime generator. The combination of a crime generator situated directly adjacent to an HMO which may house vulnerable residents again does not contribute to a safe and cohesive community or environment.

8.9 Highways have not objected to the proposal because there is unlikely to be a significant impact on highways safety. However, the car park proposed in the rear garden is not acceptable as it would result in excessive utilisation of garden land for parking and would result in the loss of green space and private amenity space which is important to the character of the Conservation Area. The proposal fails to enhance or preserve the character of the Conservation Area.

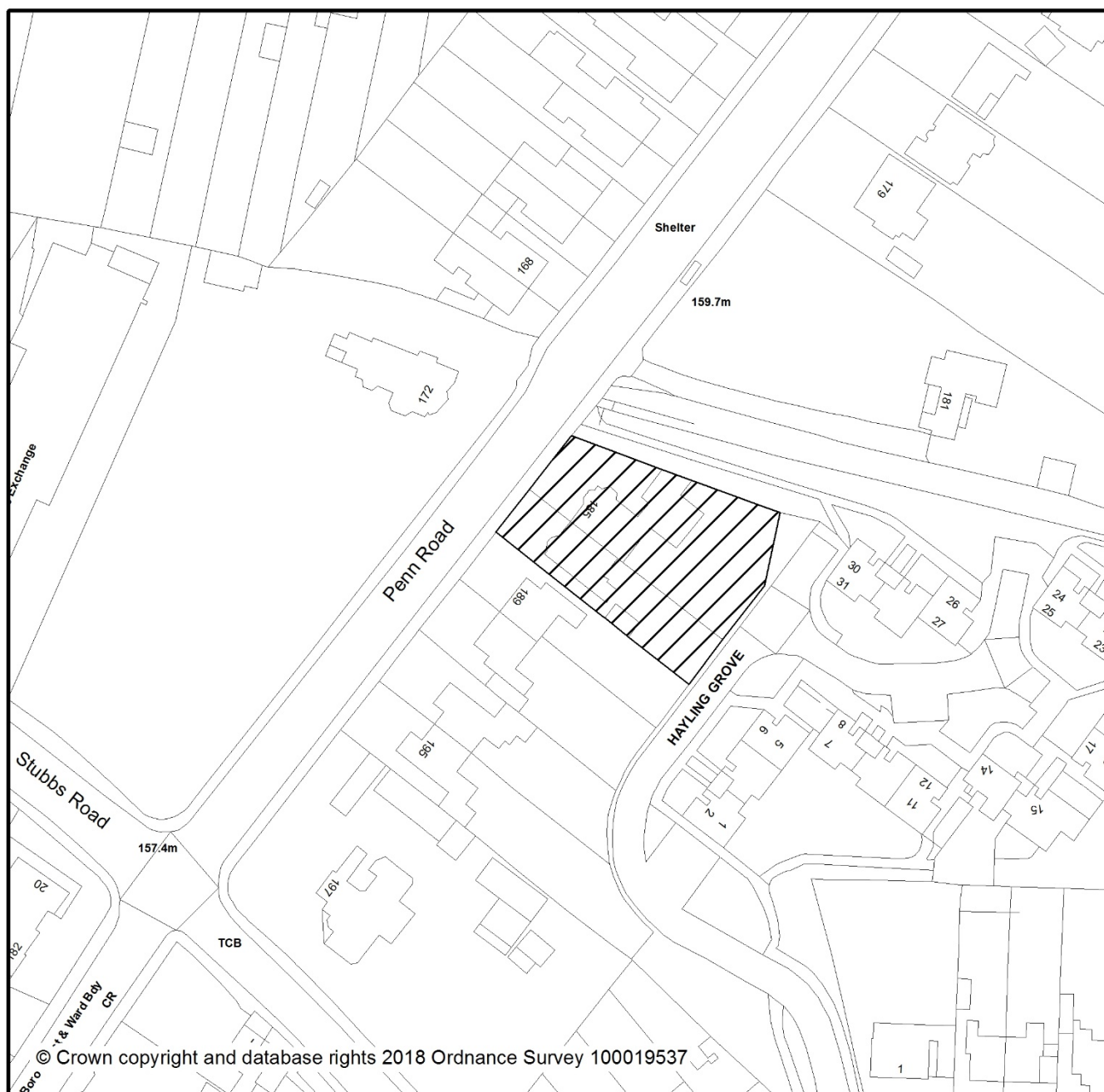
## **9.0 Conclusion**

9.1 The proposal is not acceptable as it will adversely impact the character of the Conservation Area and cause detriment to neighbours' amenities. The proposal would fail to promote a safe and cohesive environment and may exacerbate crime and/or the fear of crime.

## **10.0 Detail recommendation**

10.1 That planning application 17/00885/FUL be refused planning permission based on:

- Impact on the Conservation Area and the character of the local area
- Loss of amenity
- Contrary to the promotion of a safe and cohesive community exacerbating crime and/or the fear of crime.



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