

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory
Venue Committee Room 3 - 3rd Floor - Civic Centre, St Peter's Square, Wolverhampton
WV1 1SH

Membership

Members of the Planning Committee

Quorum for this meeting is four Councillors.

Information for the Public

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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.

PLEASE NOTE THAT MEMBERSHIP OF THE PLANNING COMMITTEE WILL BE CONFIRMED AT THE ANNUAL COUNCIL MEETING ON 16 MAY 2018.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting - 20 March 2018 (Pages 3 - 10)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising from the previous minutes] |
| 5 | 18/00043/FUL - 14 Farmbrook Avenue, Wolverhampton (Pages 11 - 16)
[To consider the planning application] |
| 6 | 18/00284/FUL - 20 Whernside Drive, Wolverhampton (Pages 17 - 20)
[To consider the planning application] |
| 7 | 18/00142/FUL - Penn Residential Care Home, 169 Penn Road, Wolverhampton
(Pages 21 - 26)
[To consider the planning application] |
| 8 | 18/00077/FUL - Duntally Lodge, 6A Grove Lane, Wolverhampton (Pages 27 - 30)
[To consider the planning application] |
| 9 | 18/00354/FUL - Land formerly known as Bridge Cross Garage, 295 Parkfield Road and Bowling Green to the rear of Old Ash Tree Inn, Dudley Road, Wolverhampton (Pages 31 - 36)
[To consider the planning application] |

Attendance

Councillors

Cllr Dr Michael Hardacre (Chair)
Cllr Harman Banger (Vice-Chair)
Cllr Alan Bolshaw
Cllr Keith Inston
Cllr Anwen Muston
Cllr Wendy Thompson
Cllr Jonathan Yardley

Employees

Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Tracey Homfray	Planning Officer
Vijay Kaul	Senior Planning Officer
Paul Lester	Planning Officer
Colin Noakes	Planning Officer
Gerwyn Owen	Professional Lead - Transport Development
Ragbir Sahota	Planning Officer
Helen Tambini	Democratic Services Officer

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies for absence**

Apologies for absence were received from Councillors Welcome Koussoukama, Phil Page, John Rowley, Judith Rowley and Mak Singh.

2 **Declarations of interest**

Councillor Harman Banger declared a disclosable pecuniary interest in respect of agenda item 6, application 17/00925/FUL, land formerly known as Bridge Cross Garage, 295 Parkfield Road and bowling green to rear of Old Ash Tree Inn, Dudley Road, Wolverhampton, as a license holder for a banqueting suite in Wolverhampton. He would leave the meeting when the application was considered.

3 **Minutes of the previous meeting - 16 January 2018**

Resolved:

That the minutes of the previous meeting held on 16 January 2018 be confirmed 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 **17/01487/FUL - New Testament Church of God, 32-39 Woden Road, Wolverhampton**

The Committee considered a report regarding application 17/01487/FUL, use of part of the car park as a hand car wash facility.

Ragbir Sahota, Planning Officer reported an update to the report since it had been published. He advised that he had received comments from Councillor Sandra Samuels OBE requesting that the Committee consider the possibility of granting the application with the imposition of suitable conditions.

Bishop Ruben King addressed the Committee and spoke in support of the application.

Resolved:

That planning application 17/01487/FUL be refused planning permission for the following reasons:

- The proposed use of the part of the car park as a hand car wash facility will result in the loss of parking to the detriment of pedestrian and highway safety.
- The application lacks a noise impact assessment and lighting detail in order to fully appraise the impacts of the proposal on local amenities.

6 **17/00925/FUL - Land formerly known as Bridge Cross Garage, 295 Parkfield Road and bowling green to rear of Old Ash Tree Inn, Dudley Road, Wolverhampton**

Councillor Harman Banger left the meeting during consideration of the application.

The Committee considered a report regarding application 17/00925/FUL, the erection of a 600-capacity banqueting hall with a 400-capacity function hall over and a 30-bedroom hotel with associated car parking and landscaping.

Councillors raised concerns regarding the lack of car parking for the size of the proposed development, together with the impact on highway safety due to the increase in traffic and therefore the impact that would have on the surrounding road network and the adjacent 24-hour NHS facility.

Resolved:

That planning application 17/00925/FUL be refused planning permission, contrary to the recommendation in the report for the following reason:

- The proposal is an overdevelopment of the site due to the lack of car parking for a venue of this size. This is a major concern, as a venue of this nature (Banqueting Suite/Function Hall), would result in an increase in visitor traffic, which would have a severe impact to the surrounding road network, and the adjacent NHS facility, to the detriment of highway safety. A usage of this size would also result in an adverse impact to neighbouring amenity by way of noise disturbance from visitors/vehicles. Contrary to Policies UDP AM12:

Parking and Servicing Provision; AM15: Road Safety and Personal Security; EP5 Noise Pollution; and B5 Design Standards for Employment Sites.

Councillor Harman Banger returned to the meeting.

7 18/00093/FUL - 310 Bushbury Lane, Wolverhampton

The Committee considered a report regarding 18/00093/FUL, proposed single-storey side extension.

Resolved:

That planning application 18/00093/FUL be granted planning permission, subject to the following conditions:

- Matching materials.
- The extension must not be used as a separate or independent dwelling.

8 18/00078/OUT - Wolverhampton Environment Centre, Westacre Crescent, Wolverhampton

The Committee considered a report regarding 18/00078/OUT, outline permission for the demolition of derelict glasshouses and ancillary buildings, to include the derelict bungalow and the redevelopment of the site with 14 x two-storey dwellings, along with access road and car parking (all matters reserved).

Colin Noakes, Planning Officer advised that he was updating Councillors in response to two questions raised during the site visit the Committee had undertaken earlier in the day. He confirmed that the developers would be financially responsible for the update to the road and in respect of the 12 letters of objection, five of those were from local residents.

Mr John Rowley addressed the Committee and spoke in opposition to the application.

Ms Jane Trethewey addressed the Committee and spoke in support of the application.

A Councillor confirmed that the site had been languishing in a poor state for some years. She referred to the many hours and hard work taken to write the Tettenhall Neighbourhood Plan and expressed concern that if little or no account was being taken of that Plan, then of what relevance was it and what had been the point in writing it. If a policy document was being ignored then there should be very good reasons why, and it was difficult to identify the reason in this case. Although the site was in a poor state, there could be other uses for it. The access would need to be widened and that would not be straightforward. There had been several objections from local residents who lived closest to the site and those objections should be taken into account and it was unfortunate that those residents had not been involved enough during the application process. She questioned if the £80,000 would be a one-off payment as that would be insufficient for maintenance of such a valued country park, which made a significant contribution to the local neighbourhood and surrounding areas. She was concerned that a principle or precedent would also be set, even though the full footprint would not be used. It would be beneficial to see

the issues raised being resolved; however, not at the expense of the Neighbourhood Plan and local environmental concerns.

A Councillor referred to the potential impact of the proposed development on the Green Belt and expressed concern regarding any future changes, particularly given the significant wildlife presence. He agreed that the site required maintenance and upkeep and he expressed reassurance that the submitted ecological and protected species surveys were satisfactory and the Highway Authority had not objected.

Colin Noakes, Planning Officer advised that four ecological surveys had been undertaken; one general survey, one for newts, one for bats and one for reptiles and he confirmed that all would have to be adhered to if planning permission was granted. He also advised that the houses would not be built in the green space and the developers would be required to pay for the upgrade of the road.

Resolved:

1. That planning application 18/00078/OUT be granted planning permission, subject to the following conditions:
 - Levels survey.
 - Drainage details.
 - Removal of permitted development rights.
 - Control external lighting.
 - Demolition and Construction Management Plan.
 - Maximum two-storey.
 - Maximum volume.
 - Parking only in designated areas.
 - Parking spaces only to be used for parking.
2. That a Section 106 Agreement be required and authorised (to be signed by the purchaser from City of Wolverhampton Council immediately after the purchase after planning permission is granted) requiring the payment of £80,000 to meet the costs of 10 years maintenance of the remainder of the WEC as part of the Smestow Valley Local Nature Reserve.

9 **17/00971/FUL - 164 Dudley Road, Wolverhampton**

The Committee considered a report regarding 17/00971/FUL, Change of Use from D1 to A1, shop front alteration and relocation of staircase.

Mrs R. Kaur addressed the Committee and spoke in support of the application.

In answer to a question regarding the criteria to be met, Paul Lester, Planning Officer advised that there were four criteria which all had to be met under Policy CEN6. Those criteria included that it met a specific day to day need, local provision could not be better met by investment in a nearby centre, existing facilities that met day to day needs would not be undermined and that it had good accessibility. He advised, that whilst it might not undermine other businesses and it had good accessibility, nevertheless, it was still contrary to other parts of the Policy and could not be supported.

A number of Councillors suggested that the shop would not have a detrimental impact in its new location and there was likely to be less footfall compared to the

previous use of the building as an advice centre. It would hopefully also reduce the problems with ASB associated with the current site. There had been no objections from local residents or statutory consultees. The area was thriving and would benefit from additional investment and the site was close to a bus stop and good arterial routes. If the application was for a new business that would be different; however, as this was for a relocation it was acceptable and should be encouraged.

A Councillor referred to a principle being established if the application was granted as other local centres also wished to extend. Significant numbers of people were on the housing list and this property could be returned to a dwelling which would be beneficial. It would be of interest to know if exceptions had previously been made and other properties had been converted.

Paul Lester, Planning Officer reminded Councillors that they should consider the merits of this planning application.

A Councillor stated that the Committee should be mindful of what its view would be if the application was for the location of a new shop in the building.

Several Councillors also expressed the view that it was important to note that the application did not comply with Policy.

In answer to a question regarding the use of the existing mobile phone premises if it was vacated, Paul Lester, Planning Officer confirmed that the existing premises would retain an A1 use and could still be operated as a shop. He advised that clarification could be provided to Councillors on previous exceptions along Dudley Road.

Resolved:

That planning application 17/00971/FUL be refused for the following reasons:

- The application does not demonstrate a need for a new retail unit to meet specific demand for the local population. Local provision could be better met by investment in nearby local centres. The proposal is therefore contrary to the Black Country Core Strategy Policies CEN1, CEN2 and CEN6.
- Detrimental to the amenities of residents of the adjoining terraced property. The proposal is therefore contrary to the Unitary Development Plan Policy EP5.

10 **17/01466/FUL - 1 The Spinney, Wolverhampton**

The Committee considered a report regarding 17/01466/FUL, demolition of an existing bungalow and erection of one, three bed dormer bungalow and two, two bed bungalows.

Ragbir Sahota, Planning Officer reported a correction to the report. The site was within Tettenhall Wightwick ward and not Tettenhall Regis ward as stated in the report.

A number of Councillors expressed concern that the proposed development would be out of keeping and lead to over development of the site and it was not surprising that 10 letters of objection had been received.

Ragbir Sahota, Planning Officer advised that the amenity areas and number of car parking spaces exceeded stated guidance.

Resolved:

That planning application 17/01466/FUL be refused planning permission, contrary to the recommendation in the report, for the following reason:

- The proposed bungalows would result in an unacceptable sub-division of the existing bungalow/garden, detracting from its setting and level of spacious amenity and provide insufficient spacious amenity for the proposed bungalows. This would result in an overdevelopment of the site, leading to a cramped appearance and be out of keeping with the existing spaciousness pattern to the detriment of the character and appearance of the street scene.

11 **17/01495/FUL - Land rear of 45 Rookery Road, Wolverhampton**

The Committee considered a report regarding 17/01495/FUL, residential development comprising 10 semi-detached houses to include improvements to Bayliss Avenue.

Vijay Kaul, Senior Planning Officer reported an update to the report since it had been published. He advised that a further letter of objection had been received which reiterated issues raised in the report.

Councillor Malcolm Gwinnett addressed the Committee and spoke in opposition to the application.

Mr Jake Sedgemore addressed the Committee and spoke in support of the application.

In response to a request from Councillor Gwinnett to amend the condition related to intrusive site investigation (coal mining), to include a reference to any remedial work if required, Vijay Kaul, Senior Planning Officer confirmed that appropriate wording could be added to the condition. He advised that in the report the Coal Authority had referred to undertaking remediation work if required.

Resolved:

That planning application 17/01495/FUL be granted planning permission, subject to the following conditions:

- External materials.
- Levels
- Construction Management Plan (including operational hours).
- Land contamination and ground gas.
- Intrusive site investigation and remediation work if required (coal mining).
- Drainage.
- Landscaping and boundary treatments.
- Electric charging points.
- Renewable energy.
- No external lighting without approval.
- Remove permitted development rights for rear extensions and dormers.

- No more than three dwellings to be occupied prior to Bayliss Avenue road widening.
- 1.8m footway on both sides of widened road.

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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 May 2018
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Planning application no.	18/00043/FUL	
Site	14 Farmbrook Avenue, Wolverhampton	
Proposal	Change of use to large HMO (6 persons)	
Ward	Bushbury North;	
Applicant	Mr B Singh	
Cabinet member with lead responsibility	Cabinet Member for City Economy	
Accountable Director	Julian Wain, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Nussarat Malik	Planning Officer
	Tel	01902 550141
	Email	nussarat.malik@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Refuse.

1.2 The proposal is contrary to policies and will adversely impact the character of the 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. There is insufficient information to assess how the proposal will meet the needs for car parking at the site.

2.0 Application site

2.1 The application site comprises of a four-bedroom semi-detached property on a residential street. The property has been extended previously (A/C/0454/83 Kitchen and dining room extension, and 04/1823/FP/R First floor side extension above existing garage). The property is currently used as a residential house and has some on street parking.

2.2 The immediate street scene consists of a mixture of semi-detached and detached houses of a similar design and character.

3.0 Application details

3.1 The proposal seeks to change the use of the dwelling house to a 6 person House in Multiple Occupation (HMO).

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)
House in Multiple Occupation (HMO) Planning Guidance February 2018

5.0 Publicity

5.1 90 individual objections received and a petition opposing the planning application were received.

The reasons of objection include:

- (i) Intensification of use
- (ii) Insufficient parking
- (iii) Out of character of area
- (iv) Increase in traffic
- (v) Not in keeping

6.0 Consultees

6.1 Environmental Health: amendments to kitchen size required and details of bin stores required, fire doors, alarms required

6.2 Transportation: Cannot support the application – insufficient information.

6.3 Police: Objecting increase of neighbour disputes

7.0 Legal implications

7.1 There are no legal implications arising from this report (LD/10052018/H)

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 6 individual people would be out of character in this area. The street is occupied by families and 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 6 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 one family home. The proposal would house 6 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 at the address in comparison to a family dwelling.
- 8.4 Police have objected to this proposal on the grounds of the development increasing the possibility of neighbour disputes. In this instance a traditional family home converted into a dwelling for 6 unconnected individuals is a concentration of people that neighbours are not accustomed to. In addition to this, HMO's are not conducive to long term living, therefore a high turnover of residents is expected. It would be unreasonable for anyone to assume local residents, used to living within a family-centred community, would not be guarded against such development.
- 8.5 Therefore it can be noted that the proposal will have a detrimental impact on the character of the immediate area. The introduction of a concentration of individual residents will be contrary to the development plan and planning policy.
- 8.6 Black Country Core Strategy Policy CSP4 (Place Making) requires a positive contribution to place-making and environmental improvement taking into account and creating safe and secure places by organising the urban environment that encourage people to act in a civil and responsible manner. The proposal is contrary to this policy.
- 8.7 Transportation require further information for the application to be fully assessed. The property will need to provide parking space for at least 3 cars within its boundary. The development will be required to meet its own transportation needs with no detriment to

pedestrian safety and the safe and free flow of traffic. A covered and secure cycle parking will need to be provided.

- 8.8 Farmbrook Avenue is residential road that has previously attracted high levels of complaints from residents due to the level of on-street parking associated with surrounding businesses. As a result of these complaints “No Waiting At Any Time” parking restrictions were recently introduced on a section of Farmbrook Avenue and these parking restrictions stop at the western boundary of this application site.

9.0 Conclusion

- 9.1 The proposal is contrary to policies and will adversely impact the character of the 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. There is insufficient information to assess how the proposal will meet the needs for car parking at the site.

10.0 Detail recommendation

- 10.1 That planning application 17/00885/FUL be refused planning permission based on:
- Contrary to the promotion of a safe and cohesive community exacerbating crime and / or the fear of crime. Insufficient information to fully assess the proposal. Contrary to UDP policies D6, D10, H6, AM12, AM15 and BCCS policies CSP4, ENV3,



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 May 2018
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Planning application no.	18/00284/FUL
Site	20 Whernside Drive, Wolverhampton
Proposal	Two storey side extension (revised proposal to previously approved 16/00415/FUL amendments to roof and rearward projection).
Ward	St Peter's
Applicant	Mr David Ram
Cabinet member with lead responsibility	Cabinet Member for City Economy
Accountable Director	Julian Wain, Service Director, City Economy
Originating service	Planning
Accountable employee	Nussarat Malik Planning Officer Tel 01902 550141 Email nussarat.malik@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Refuse.

1.2 The change of the roof from a hipped design to a gable end roof and additional 1 metre extension of the two storey element will have an overbearing and detrimental impact on the neighbours at 1 and 3 Roxby Gardens and in turn this will result in an unacceptable loss of sunlight and daylight which will also have an overbearing effect on the outlook they presently enjoy.

2.0 Application site

2.1 The application property site is a relatively modern detached house set back from the main road within a cul-de-sac of properties, similar in design, and character within a residential area comprising of properties which are mixture of semi-detached and detached.

3.0 Application details

- 3.1 The proposal is an amendment to the approved planning application 16/00415/FUL for a two-storey side extension.
- 3.2 This proposal is to change the roof from a hipped roof to a gable end and extend the two-storey element out by 1 metre to the rear and add a window in the side elevation.

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)
SPG3 Residential Development
SPG4 Extensions to Houses

5.0 Publicity

- 5.1 No comments received.

6.0 Legal implications

- 6.1 There are no legal implications arising from this report (LD/10052018/Y)

7.0 Appraisal

- 7.1 The proposal intends to change the roof design from the approved hipped to a gable end with a 1 metre extension to the length of the two storey element along the side with a window to the side elevation.
- 7.2 The proposed extension is similar in terms of its length of the two storey element to a refused proposal (10/00425/FUL) for the same site by virtue of its detrimental impact on neighbours at 1 and 3 Roxby Gardens and for the proposal being unacceptably dominant and detrimental to the character and appearance of the street scene.
- 7.3 The existing permission 16/00415/FUL was a renewal of an approved application (10/01214/FUL) which was a submitted after amendments to reduce the length of the two storey and to set it to be within its boundary leaving a gap of barely 12 metres to the bedroom windows of 1 and 3 Roxby Gardens which side onto the property.
- 7.4 Supplementary Planning Guidance (SPG) Residential Development No3 recommends that there is a minimum distance of 12 metre distance between blank walls and habitable room windows to allow daylight and avoid oppressive feeling. The approved proposal just meets these guidelines. This revised proposal intends to extend out a further 1 metre

which will have an overbearing impact and affect the amenity of number 3 Roxby Gardens and be contrary to SPG3.

- 7.5 The extension of the roof will have an overbearing impact on the residents of 1 and 3 Roxby Gardens. Visibly the brickwork will now extend further upwards whereas in the existing permission the roof slopes away from these two properties having less of an impact on them.

8.0 Conclusion

- 8.1 The change of the roof from a hipped design to a gable end roof and additional 1 metre extension of the two storey element will have an overbearing and detrimental impact on the neighbours at 1 and 3 Roxby Gardens and in turn this will result in an unacceptable loss of sunlight and daylight which will also have an overbearing effect on the outlook they presently enjoy.

9.0 Detail recommendation

- 9.1 The proposed additional rearward projection and increased height of the brickwork to the side gable by reason of its height, mass and position relative to the gardens/houses at 1 and 3 Roxby Gardens, result in an unacceptable loss of sunlight and daylight and have an overbearing effect on the outlook presently enjoyed by these gardens and houses. Contrary to UDP policies D4, D6, D7, D8, D9 and BCCS Policies CSP4, ENV3.



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 May 2018
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Planning application no.	18/00142/FUL
Site	Penn Residential Care Home, 169 Penn Road, Wolverhampton
Proposal	Two storey and single storey rear extension and single storey side extension
Ward	Blakenhall;
Applicant	Mr J Takhar
Cabinet member with lead responsibility	Cabinet Member for City Economy
Accountable Director	Julian Wain, Service Director, City Economy
Originating service	Planning
Accountable employee	Sukwant Grewal Assistant Planner Tel 01902 551676 Email sukwant.grewal@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant

2.0 Application site

- 2.1 Penn House is a residential care home providing full time care for up to 25 residents. The home was originally developed by the amalgamation of two large traditional semi-detached properties, No. 169 and 171 Penn Road. Since the amalgamation the properties have also been extended to the rear with single and two storey extensions.
- 2.2 Access is afforded off Penn Road, with a large paved frontage with ornate landscaped island and parking to both the frontage side and rear. There are protected trees on site.
- 2.3 The surrounding area has a mixture of commercial and residential properties, set in mature grounds. The property is within a conservation area.

3.0 Application details

- 3.1 The proposal is for a part two storey and part single storey extension at the rear of what was 171 Penn Road, and single storey side extension to the side of no 169 to form additional laundry and office facilities.
- 3.2 The scheme would provide an additional 6 bedrooms, 4 at ground floor and 2 at first floor level, with the loss of one existing ground floor bedroom.

4.0 Planning History

- 4.1 10/00884/FUL - Two storey and single storey rear extension - Granted 06.01.2011
13/01053/FUL - Two storey and single storey rear extension - 05.12.2013

5.0 Relevant policy documents

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

6.0 Publicity

- 6.1 Two letters of objection received with one request to speak at planning committee, for the following reasons:
- Overlooking into garden
 - Loss of Privacy
 - Car parking at the rear/vehicular movements
 - Drainage

7.0 Consultees

- 7.1 Transportation – No adverse comments

8.0 Legal implications

- 8.1 With respect to any buildings in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
(LD/10052018/A)

9.0 Appraisal

- 9.1 The application is a resubmission of a previous approval which has now expired.

- 9.2 The initial scheme proposed an extension which would be located 5m away from the common boundary with the neighbouring property at no 173 Penn Road. There would also be windows along this boundary and privacy to this neighbouring property would be an issue.
- 9.3 Since the previous approval, a two storey side extension has been built on the neighbouring property no173 Penn Road. However, the proposal has been satisfactorily amended to address any adverse impact in respect of neighbours' amenities.
- 9.4 Due to concerns the proposal was amended to change the window design to splayed bay windows with part obscure fixed glazing panels and 2 metre high close boarded fencing to full length of a neighbouring boundary no 173 Penn Road. This significantly alleviates any direct overlooking and loss of privacy.
- 9.5 The existing access to the parking area to the rear would be retained, providing access to the relocated parking area. However, the parking spaces would still be set away from the neighbouring boundary with no173, therefore, noise is considered to be no different to what currently exists.
- 9.6 Therefore, although the extension would still be evident from the neighbouring garden at no.173, it is considered that the detriment to amenities such as outlook, light, privacy and noise, would not be significant enough to warrant a refusal of planning permission, compliant with UDP Policies

10.0 Conclusion

- 10.1 The amended proposal is considered to have an appropriate design, harmonising with the existing alterations to the property, retaining local distinctiveness. The extension is well screened from the public domain, therefore, there would be no detrimental impact on both the street scene or the conservation area. The premises have sufficient garden space and parking to support the proposal. The proposal relates well with its surroundings being designed so as to reduce the impact on neighbouring amenities. The proposal is therefore considered to be acceptable and in accordance with the development plan

11.0 Detail recommendation

- 11.1 That planning application 18/00142/FUL is approved subject to the following conditions:
- Matching Materials
 - Drainage
 - Rear parking restricted for staff parking only



This report is PUBLIC
NOT PROTECTIVELY MARKED

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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 May 2018
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Planning application no.	18/00077/FUL	
Site	Duntally Lodge, 6A Grove Lane, Wolverhampton	
Proposal	Change of use from a Granny Annex to a separate dwelling house (Use Class C3)	
Ward	Tettenhall Wightwick;	
Applicant	Mr Paul Almond	
Cabinet member with lead responsibility	Cabinet Member for City Economy	
Accountable Director	Julian Wain, Service Director, City Economy	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01902 555641
	Email	Tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant

2.0 Application site

- 2.1 The application site is located in a predominantly residential area, within the Tettenhall Wood Conservation Area, and subject to an Article 4 Direction (Tettenhall Wood Conservation Area), which restricts certain alterations to the external appearance of the property. The granny annex is currently associated with the main dwelling known as Duntally Lodge, which is set high on the ridge to the north/west of Grove Lane. The properties along Grove Lane are set within extensive grounds with elevated views south/east of the City.
- 2.2 The granny annex already appears as a separate and independent dwelling albeit smaller than its neighbours, and is inhabited as such. The property fronts onto and is directly accessed from Grove lane.
- 2.3 The parking and amenity space for the annex is out of view of the street scene, adjacent to the parking for Duntally Lodge, and accessed through a shared driveway Duntally Lodge and Number 4 Grove Lane, and an additional pedestrian access

a rear doorway of the annex, at first floor level.

3.0 Application details

3.1 To change the use from a Granny Annex to a separate dwelling house (Use Class C3), and the creation of a parking space and external patio amenity area.

4.0 Planning History

4.1 C/3679/89 - Back in 1989 a planning application was received for the change of use of an existing coach house to a granny annex at Duntally Lodge, 6A Grove Lane and Granted 9th March 1990.

5.0 Relevant policy documents

5.1 National Planning Policy Framework (NPPF)
Wolverhampton Unitary Development Plan (UDP)
Black country Core Strategy (BCCS)
Tettenhall Neighbourhood Plan

6.0 Publicity

6.1 One letter of objection with a request to speak at Planning Committee, objections:

- Out of Character
- Congestion due to insufficient parking
- Health and Safety Issues for younger families
- Drainage
- Insufficient Parking
- Insufficient Amenity
- Appeal Decision Refused for a similar proposal at No 4 Grove Lane

7.0 Legal implications

7.1 Special attention must be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. (LD/01052018/B)

8.0 Appraisal

8.1 The surrounding area is predominantly residential; therefore, the principle of residential use is acceptable.

8.2 The existing granny annex appears as a small residential cottage within the street scene, with a pedestrian access directly off Grove Lane. The annex has a small patioed amenity space and parking space to the rear of the premises, which is accessed via a private shared driveway to the front of 4 and 6A Grove Lane, out of view of the highway as it is set on a much higher level. There would be no physical changes to the

appearance of the annex, with the only external alteration being a designated car parking space for future occupiers. Because of the small nature of the property, with a hallway, and one double sized bedroom to ground floor, and a small lounge and kitchen to first floor, the proposed amenity space and parking is considered sufficient to support a property of this size. A landscaping scheme should be conditioned to propose some form of acceptable screening between the amenity space and the parking area, to provide some privacy for future occupiers.

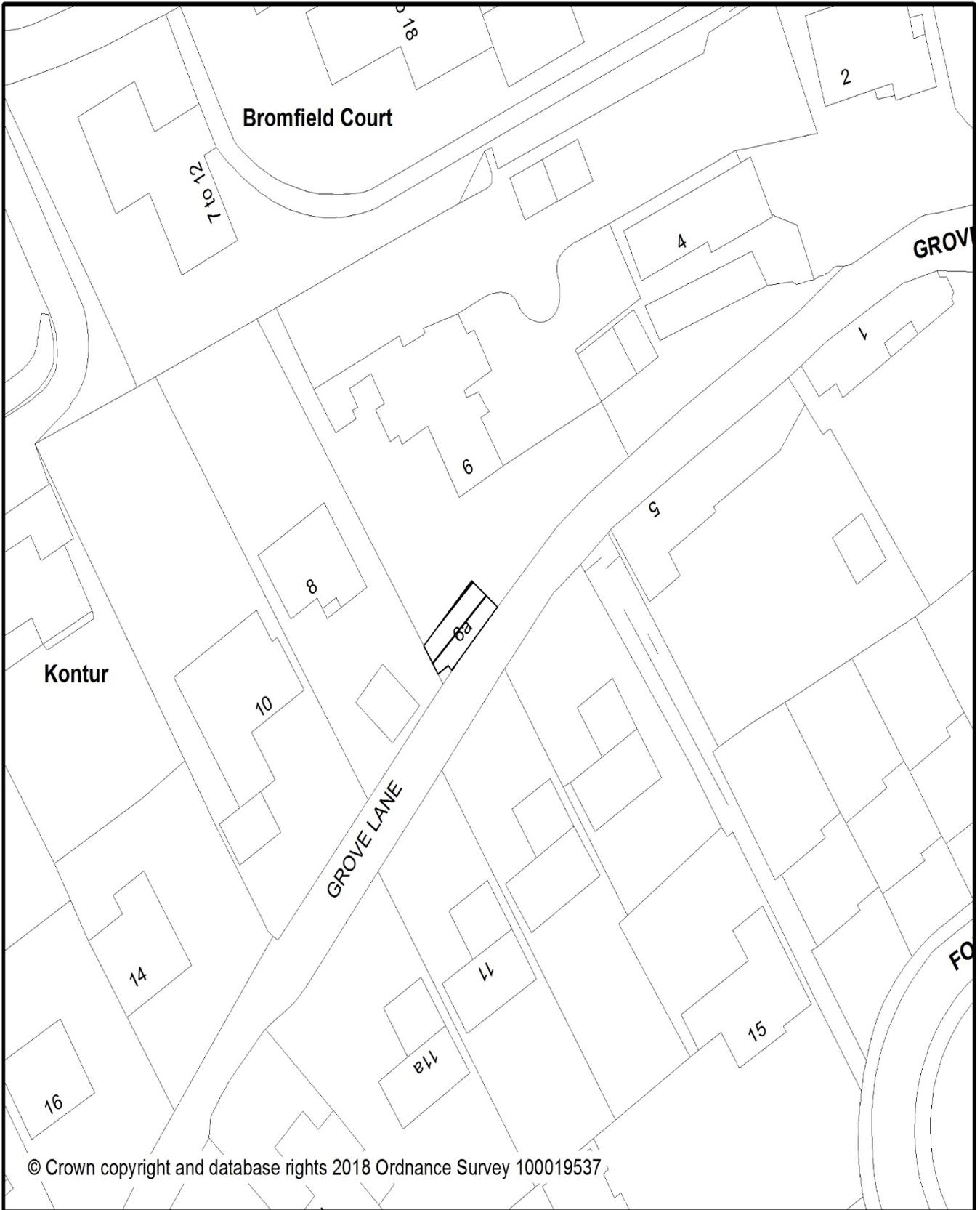
- 8.3 The annex is too small for use by a large family. There would be no additional intensity of use, the access/parking would not be drastically different to the current situation, and the annex is already well integrated within the street scene. There would be no physical changes, other than a change of tenancy, and the allocation of a parking space, there would be no negative impact to the character/appearance of the street scene or the Tettenhall Wood Conservation Area.
- 8.4 There would be no significant impact to neighbouring amenities. Although it is acknowledged that a neighbour's similar proposal was refused and dismissed at appeal, this does not set a precedent for other similar applications, as each one must be assessed on its own individual merits, and determined in accordance with planning policy.
- 8.5 For additional information regarding the neighbouring proposal, the annex has a completely different setting, although separate from the main dwelling, is located just beneath it, and shares the same pedestrian access. The layout is much larger in scale, with two bedrooms, therefore, having the potential to facilitate a larger family, resulting in an intensification of use. This along with the additional pedestrian and vehicular movements, could change the dynamics of the existing setting, affecting the overall character and appearance of both the street scene and the conservation area. The proposed amenity space would be too small for a dwelling of this size and would be overlooked from the existing and neighbouring dwellings either side. Therefore, this proposal was unfortunately unacceptable.

9.0 Conclusion

- 9.1 Subject to conditions the application is acceptable and in accordance with the development plan, and the Tettenhall Neighbourhood Plan.

10.0 Detail recommendation

- 10.1 Grant planning application 18/00077/FUL subject to:
- Removal of Permitted Development Rights for extensions, alterations, or outbuildings.
 - Landscaping/Boundary Treatment
 - Car parking



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 22 May 2018
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Planning application no.	18/00354/FUL
Site	Land formerly known as Bridge Cross Garage, 295 Parkfield Road and Bowling Green to the rear of Old Ash Tree Inn Dudley Road, Wolverhampton
Proposal	The erection of a 600 capacity banqueting hall and a 30 bedroom hotel with associated car parking and landscaping.
Ward	Blakenhall
Applicant	Mrs S Pahal
Cabinet member with lead responsibility	Cabinet Member for City Economy
Accountable Director	Julian Wain, Service Director, City Economy
Originating service	Planning
Accountable employee	Tracey Homfray Planning Officer Tel 01902 555641 Email tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant

2.0 Application site

2.1 The former car dealership buildings have been demolished, and the road frontage hoarded off. The use of the bowling green ceased between 2012 and 2015 and is now in a poor state of repair.

3.0 Planning History

3.1 This application is a resubmission of a previous planning application 17/00925/FUL which was for a similar proposal, but with an additional 400 capacity function hall. Planning Committee resolved to refuse the application at the 20 March 2018 meeting, for the following reason:

Overdevelopment, lack of car parking for a venue of this size. Major concern of a venue of this nature (banqueting Suite/Function Hall), which would increase visitor traffic, with a severe impact to the surrounding road network, adjacent NHS facility, to the severe detriment of highway safety. The usage would also result in an adverse impact to neighbouring amenity by way of noise disturbance from visitors/vehicles.

- 3.2 12/00747/FUL - Demolition of existing buildings and replacement with a single retail outlet and associated parking – Granted 8th February 2013 – Demolition Completed retail outlet never started.

4.0 Application details

- 4.1 This application proposes: The erection of a two storey building which will occupy a 600 capacity banqueting hall on the ground floor, servicing at first floor (kitchen and staff quarters), and a two storey 30 bedroom hotel and associated car parking and landscaping.

5.0 Relevant policy documents

- 5.1 National Planning Policy Framework (NPPF)
Wolverhampton Unitary Development Plan (UDP)
Black country Core Strategy (BCCS)

6.0 Publicity

- 6.1 No objections at time of writing planning report, neighbour time expires on 15th May 2018, any updates to be verbally reported at Committee

7.0 Consultees

- 7.1 Transportation – The onsite parking provision plus the drop off and pick up zone would be acceptable for a 600 capacity Banqueting Suite. This is subject to a Car Park Management Plan (Marshalling on site), works to the splitter islands on Parkfield Road, and a condition limiting the capacity of the Banqueting Suite to 600.
- 7.2 Coal Authority – The Coal Authority has **no objection** to the proposed development subject a Site Investigation.
- 7.3 Environmental Health – Potential for noise disturbance (banging doors/ people's voices and shouting etc.) to local residents as car parking could spill onto other roads such as Hales Park Close, Parkfield Road (726 – 773). A condition would be required preventing occupants in the banqueting suite at any time to no more than 600 to mitigate the impact.

8.0 Legal implications

- 8.1 There are no legal implications arising from this report (LD/10052018/E)

9.0 Appraisal

- 9.1 Most of the application site had a commercial use. The surrounding area is mixed with residential, and commercial properties. The site adjoins the Dudley Road Local Centre, and is a suitable distance away from other similar uses, to have no negative impact on the function of the adjacent centre or city centre. The development is acceptable in principle.
- 9.2 The proposal would result in the loss of the pub bowling green, to provide car parking. The bowling green has not been used for a number of years and is now in a poor state of repair. It is considered that it is now surplus to requirements and, in line with Policy R5 of the UDP, a compensatory payment of £20,000.00 would be necessary to provide or enhance sports facilities in the City secured by a S106 Obligation. The payment would go towards improving bowling facilities in the Central and South parts of the City, in accordance with the current Wolverhampton Playing Pitch Strategy.

The requirement for the compensatory payment meets the test of the Regulations namely:

- necessary to make the development acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development
- 9.3 The existing vehicular access onto Parkfield Road would be retained and a new egress would be created adjacent to the eastern boundary, with the Phoenix Centre. The central splitter islands on Parkfield Road would need to be altered and the works could be secured by condition.
- 9.4 The proposed layout and appearance is acceptable, with the proposed hotel having a strong visual presence in the street scene. There would be no significant impact on neighbouring amenity such as outlook, light, sunlight or privacy, and the proposed Banqueting Hall has been set well back on the site mitigating noise disturbance. Noise attenuation measures will also be incorporated into the buildings to prevent noise disturbance, secured by condition. Since the previous application, items such as the "Function Hall" have been removed from the proposal to address the possibility of an over intensification of the use, and a frontage brick wall is to be built along the boundary to Parkfield Road and the car park, which should mitigate against any possible noise within the car park, which was raised as a concern at the previous committee.
- 9.5 The proposed parking is sufficient. The removal of the function hall facility, will now remove the possibility of over intensification of the use. This would mitigate against the overspill of parking onto surrounding streets and any noise associated disturbance. This together with a "Car Parking Management Plan", which would also be secured by condition, would ensure a suitable level of marshalling at the site, to prevent any possible disruption to the surrounding highway network, and within the site, so that vehicle movements would be improved especially with respect to the safety of pedestrians and visitors to the development. The car parking layout will require the inclusion of a suitable

amount of electric vehicle charging points, for the number of spaces proposed to address air quality.

10.0 Conclusion

10.1 Subject to conditions and a Section 106 Obligation the proposal is acceptable and in accordance with the Development Plan.

11.0 Detail recommendation

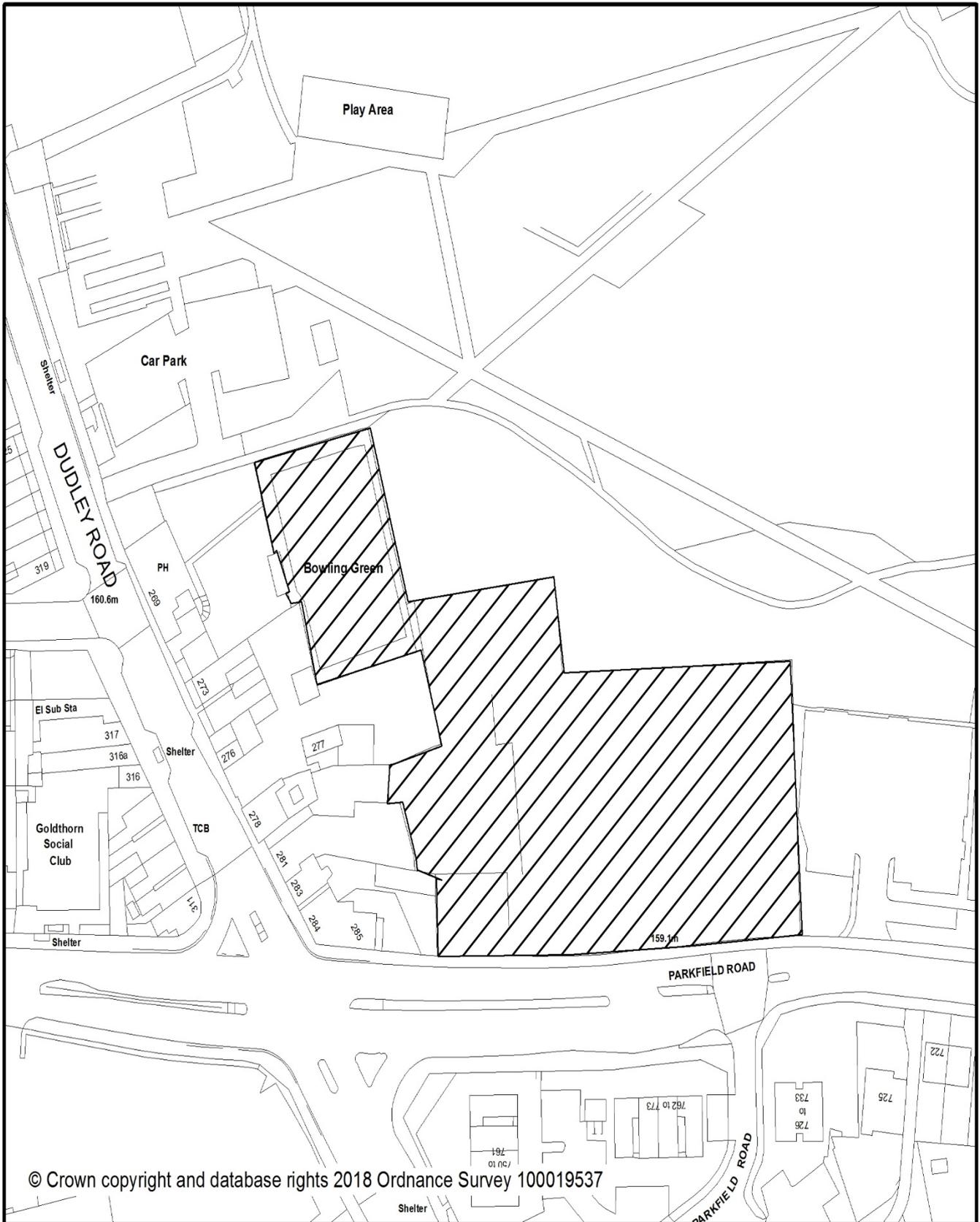
11.1 Grant planning application 18/00354/FUL subject to:

i. Section 106 Obligation for:

- Compensatory payment of £20,000 for loss of bowling green for provision or enhancement of sports facilities in the Central and South Area of the City;

ii. Any necessary conditions to include:

- 600 person Banqueting Suite
- Works to the Central Splitter Island at Parkfield Road
- Contaminated land/Site Investigation (Coal)
- A noise assessment and mitigation
- Extraction ventilation/odour suppression
- External lighting specification
- Hours of use and delivery/despatch
- Submission/Implementation of Landscaping (Tree Protection)
- Drainage
- External materials
- Visibility (boundary treatment at both entrance and exit)
- Parking to be provided and retained as shown
- Improved Vehicle/Pedestrian Circulation Plan
- Hours of operation during construction
- Electric Vehicle Charging Points
- Cycle and Motor Cycle Parking
- Bin Stores
- Car Parking Management Plan
- Renewables (10%)



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