

<b>Planning application no.</b>	19/00391/OUT	
<b>Site</b>	Land East of 86 Arthur Street, Blakenhall, Wolverhampton.	
<b>Proposal</b>	Outline Planning Permission for Residential Development (13No. dwellings indicative) matters for consideration Access to the site	
<b>Ward</b>	Blakenhall	
<b>Applicant</b>	W. G. & M. Marshall Ltd	
<b>Cabinet member with lead responsibility</b>	Councillor Harman Banger Cabinet Member for City Economy	
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration	
<b>Originating service</b>	City Planning	
<b>Accountable employee</b>	Tracey Homfray	Planning Officer
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## **1.0 Summary recommendation:**

1.1 Grant

## **2.0 Application site**

2.1 The site consists of a redundant piece of land located at the end of Arthur Street, between existing industrial units and a chalet development. The site can be accessed on foot from Arthur Street (residential) and Cockshutts Lane (industrial). The site has some tree coverage.

## **3.0 Application details**

3.1 The proposal is for outline permission for access only, for 13 residential dwellings (indicative layout provided). Access is off Thompson Avenue, along Cockshutts Lane which is gated, and provides access to keyholders outside of business hours associated with the current commercial businesses accessed off Cockshutts lane.

## **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 Petition containing 44 signatures, objecting:

- Loss of parking spaces;
- Access to the site limited;
- Fire regulations due to the use of LPG gas on the neighbouring site;
- Land stability;
- Noise pollution due to nature of the neighbouring site being caravans;
- Loss of privacy;
- Fear of crime.

- 5.2 Eight letters of objection (including two councillors):

- Overdevelopment
- Wildlife;
- Access;
- Traffic;
- Air quality;
- Noise Disturbance;
- Loss of trees;
- Fire risks;
- Traffic congestion;
- Privacy;
- Wildlife;
- Loss of use of land for parking;
- Air quality due to extra traffic;
- Security;
- Fear of crime if the security gates are to be removed.

## **6.0 Consultees**

- 6.1 Transportation – no objections to the retention of the existing security gates subject to conditions that the existing access arrangements remain in place, the issue of keys to all individuals and groups who will require access, i.e. emergency services, upgraded street lights and improved pedestrian access, subject to conditions with respect to the retention of entrance security gates, upgraded street lighting and improved pedestrian access.

- 6.2 Ecology – the ecology report is satisfactory. Recommendations of report to be conditioned.
- 6.3 Trees – no objections.
- 6.4 Community Safety – no objection subject to retention of security gates.
- 6.5 Environmental Health – condition a full site investigation, due to land gases. As such, we would need an intrusive investigation and certainly some gas protection (membranes or sub-floor ventilation) to be installed into new dwellings.
- 6.6 Public Protection – no objection subject to keys to the security gate being issued to future occupiers of the dwellings.

## **7.0 Legal implications**

- 7.1 The statutory tests for requiring planning obligations must be met if such obligations are to be sought from the applicant. A planning obligation can only constitute a reason for granting planning permission if it is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development and members must be satisfied that the obligations sought in this report will meet such tests.

[JF/11122019/A]

## **8.0 Appraisal**

- 8.1 The application site is a piece of redundant land, between an industrial estate and a chalet park, in an area which is predominantly residential, therefore, the principle of residential development is acceptable.
- 8.2 The site is currently overgrown, with self-set trees and shrubbery. The trees are not worthy of retention, and there is no objection to their removal, subject to a landscaping condition. An ecology report is also positive, with no detriment to wildlife subject to conditions.
- 8.3 The indicative layout is considered acceptable with suitable separation distances from surrounding development, with no significant detriment to neighbouring amenities. Other concerns raised from neighbours such as disturbance, fire/gas safety have also been considered. A construction method statement can be conditioned, fire/gas safety would be considered during the building regulation application and Environmental Health have confirmed that there are no concerns.
- 8.4 The application is for outline permission and access to the site only, with all other matters reserved. The initial application proposed access from Arthur Street, which is a terraced street. This street is already heavily subscribed with existing parking taking place on both sides of the street, making vehicle access to and from the proposed development site

difficult. The additional traffic generated by the proposed development would add to these existing concerns of Arthur Street, which was also one of the key objections from neighbouring properties and would also increase the amount of traffic that would be entering/exiting the Arthur Street/Dudley Road junction, which was unacceptable.

- 8.5 The applicant now proposes vehicular access to the site from Cockshutts Lane. This highway currently serves an industrial site, Jewish Burial Ground, and a storage area. The access has gates which can be closed between certain hours, as Cockshutts Lane had been subject to anti-social behaviour and fly tipping.
- 8.6 Highways have confirmed that the security gate can be removed completely with improved street lighting, replaced with a residential form of security gate or retained in its current form. Subject to this, the access is considered to be acceptable.
- 8.7 The applicants propose to retain the gate and issue access keys to potential new owners of the properties once built, in order to maintain security along Cockshutts Lane.
- 8.8 The proposal would trigger the requirement for a contribution to public open space, and affordable housing. Off-Site Public Open Space Contribution £37,650.00 pounds index – linked towards the management maintenance and improvement of the paths and play area at Bromley Street open space or improvements to Graiseley recreation ground or to enhance sports facilities in the city, and at least one of the total number of dwellings to be provided on the development shall be an Affordable Housing Unit.

## **9.0 Conclusion**

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

## **10.0 Detailed recommendation**

- 10.1 Grant planning application 19/00391/FUL subject to:

Section 106 Obligation for:

- Payment of £37,650 index-linked for the contribution to public open space;
- One Affordable Housing Unit.

Any necessary conditions to include:

- Contaminated land/Intrusive Site Investigation (Coal/Landfill Gas);
- Levels survey;
- No more than 13 houses;
- Appropriate pedestrian crossing points on Cockshutts Lane for pedestrian safety;
- External lighting;
- Submission/Implementation of Landscaping;
- Drainage;
- External materials;
- Construction Method Statement;

This report is PUBLIC  
NOT PROTECTIVELY MARKED

- Electric vehicle charging points;
- Keys to gate to be issued to occupants;
- Parking, cycle and motor cycle parking;
- Renewables (10%);
- Ecology report recommendations;
- Street lighting;
- Provision of bat boxes;
- Bat friendly external lighting.

