



# Planning Committee

6 May 2014

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| <b>Planning application no.</b>                | 13/00763/FUL   |
| <b>Site</b>                                    | Former Police Station, Birmingham Road, Wolverhampton                                |
| <b>Proposal</b>                                | Conversion and extension to create 32 apartments                                     |
| <b>Ward</b>                                    | Blakenhall   |
| <b>Applicant</b>                               | Mr K Samra   |
| <b>Agent</b>                                   | Mr Jacob Sedgemore   |
| <b>Cabinet Member with lead responsibility</b> | Councillor Peter Bilson<br>Economic Regeneration and Prosperity                      |
| <b>Accountable director</b>                    | Tim Johnson, Education and Enterprise  |
| <b>Planning officer</b>                        | Name Tracey Homfray<br>Tel 01902 555641<br>Email Tracey.homfray@wolverhampton.gov.uk |

## 1. Summary Recommendation

- 1.1 Delegated authority to the Strategic Director for Education and Enterprise to grant planning permission subject to negotiation and completion of a S106 Agreement and appropriate conditions.

## 2. Application site

- 2.1 This former Police Station occupies a prominent position on the corner of Grove Street and Birmingham Road. There are commercial uses adjoining the site, with a bus/car parking depot to west, Enterprise Car Rental to the north, a Ford Dealership (Commercial and Domestic Vehicles) on the opposite side of the Birmingham Road and other industrial uses on the opposite side of Grove Street.
- 2.2 There is an enclosed yard at the rear of the building, accessed off Grove Street.

## 3. Application Details

- 3.1 To facilitate the creation of 32 apartments (17 with one bedroom and 15 with two bedrooms), the removal of rear outbuildings and two first floor rear extensions are

proposed, with new windows in the eastern, southern and western elevations at second floor level. The vehicle access from Grove Street would remain, leading to a secure car parking courtyard, with cycle/motorcycle parking and bin storage.

#### **4. 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)  
Supplementary Planning Guidance Note 3 Residential

#### **5. Environmental Impact Assessment Regulations**

- 5.1 This development proposal is not included in the definition of projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

#### **6. Publicity**

- 6.1 Two representations have been received, objecting on the following grounds:
  - Pedestrian safety / on-street parking / inadequate parking / substandard junction
  - Overdevelopment
  - Potential for complaints about noise / smell from commercial uses could restrict businesses.

#### **7. Internal Consultees**

- 7.1 Transportation – no objection
- 7.2 Environmental Services – no objection subject to air quality / noise assessments and mitigation.

#### **8. Legal Implications**

- 8.1 Planning Obligations must as a matter of law comply with the following tests, namely they must be:
  - i) Necessary to make the development acceptable in planning terms
  - ii) Directly related to the development and
  - iii) Fairly and reasonably related in scale and kind to the development[LD/1504 2014/B]

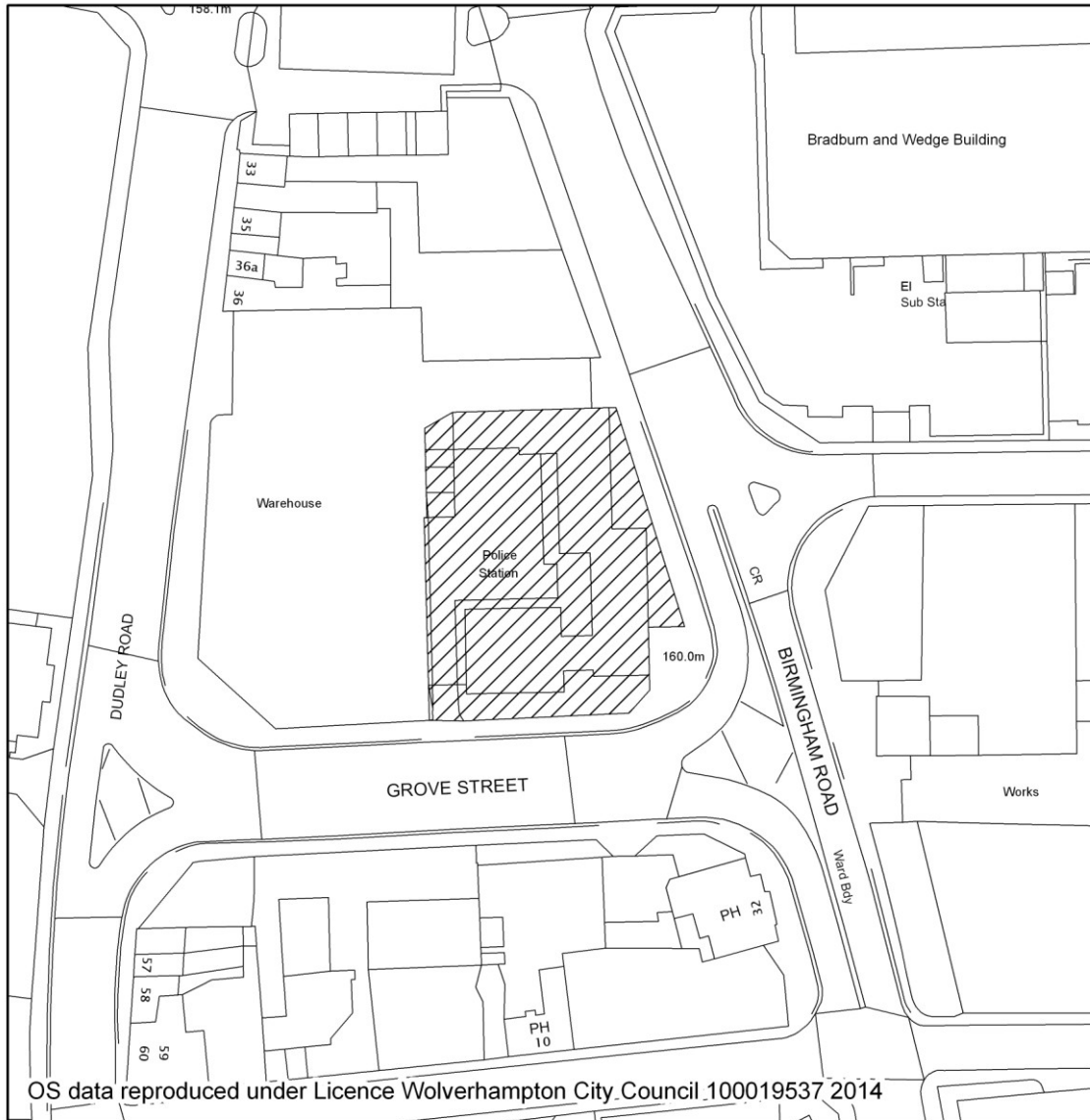
#### **9. Appraisal**

- 9.1 The area is identified in the Black Country Core Strategy for employment uses. However, because a Police Station is not categorised as an employment use in policy terms, there would be no loss of employment land and so no objection to the residential

conversion. Also, the site has been vacant for approximately 18 months and it is important that it is brought back into use rather than fall into dereliction

- 9.2 The appearance from the surrounding roads would not change significantly.
- 9.3 Because this is a conversion of an existing building, there are some compromises with the internal layout, and external space. Some of the apartments would be single aspect and/or have a northerly aspect and some window to window distances are less than 11m. Also there would be little amenity space for residents. However, on balance and taking into account the desirability of bringing this prominent building back into use and the provision of 32 homes near to the facilities of the City Centre, the proposal would be acceptable.
- 9.4 Sufficient car, motorcycle and cycle parking and vehicle manoeuvring space are proposed.
- 9.5 The close proximity of commercial uses and main roads has the potential to cause noise and air quality problems. A condition requiring a noise and air quality study and mitigation measures is therefore required.
- 9.6 In accordance with development plan policies there is a requirement for the following:
- Affordable housing (25%)
  - Off-site open space and play contribution (£76,657)
  - 10% renewable energy generation
  - Targetted recruitment and training
  - Management company
- 9.7 The applicant has requested that these requirements are waived on the basis of financial viability, supported by a financial viability appraisal. It would be appropriate and in accordance with local and national policy to reduce S106 requirements commensurate with the lack of financial viability.
- 9.8 The District Valuer has already confirmed that the development would not be sufficiently viable to provide an off-site open space / play contribution or renewable energy generation. The District Valuer is now assessing the number of affordable housing units which can be required. If this is only a few, then a financial contribution rather than on-site provision would be appropriate.
- 10. Conclusion**
- 10.1 Subject to a S106 and conditions as recommended, the proposal would be acceptable and in accordance with the development plan.
- 11 Detailed Recommendation**
- 11.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 13/01262/FUL subject to:

- (i) Completion of a Section 106 Agreement requiring:
- Affordable housing commensurate with viability – or a financial contribution in lieu of on-site provision.
  - Open space / play contribution, renewable energy and the balance of the affordable housing to be waived, on a pro-rata basis, for all apartments which are ready for occupation within 3 years of the date that a lack of viability is demonstrated.
- (ii) Any appropriate conditions including:
- Noise/air quality assessment and mitigation measures
  - Materials / window details;
  - Car/cycle/motorcycle parking provision
  - Security gates – details and provision
  - Bin store provision;
  - Landscaping



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