



Planning Committee

6 May 2014

Planning application no.	14/00194/FUL	
Site	Greenway Road/Bankfield Road Bilston	
Proposal	35 Dwellings	
Ward	Bilston East	
Applicant	Redrow Homes Midlands	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Accountable director	Tim Johnson, Education and Enterprise	
Planning officer	Name	Jenny Davies
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1. Summary Recommendation

- 1.1 Delegated authority to grant subject to a Section 106 Agreement and conditions

2. Application site

- 2.1 This rectangular shaped site is 0.56 hectares and is located 700m south of Bilston Town Centre. The site was used as a car park for many years and more recently has become the construction compound for the Redrow housing development on the adjacent site.
- 2.2 The site adjoins a scrap yard on the south boundary, commercial premises (producing fasteners) to the east and new housing across the road to the north.

3. Application Details

- 3.1 The development proposes 35 dwellings comprising 16, two and three bedroom houses and 19 one and two bedroom apartments with parking and landscaping.
- 3.2 The development would result in the loss of one Lime tree covered by a preservation order but five other trees with a Tree Preservation Order on them will remain. Three other trees would be removed.

4 Planning History

- 4.1 07/00458/OUT for Mixed use development comprising residential development, erection of light industrial units and associated infrastructure, landscaping, parking, creation of public open space and retention of existing car park. (Outline Application), Granted 16.01.2008.

5. 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)
- 5.3 Bilston Corridor Area Action Plan including Bilston Neighbourhood Plan

6. Environmental Impact Assessment Regulations

- 6.1 This application is considered to be a Schedule 2 Project as defined by the above Regulations. The “screening opinion” of the Local Planning Authority is that a formal Environmental Impact Assessment is not required in this instance as the development is unlikely to have a significant effect on the environment as defined by the above Regulations and case law.

7. Publicity

- 7.1 One letter of objection has been received from the owner of the adjacent scrap yard objecting to the omission of his premises on the submitted drawings. He is concerned that prospective purchasers will not have full knowledge of the adjacent land uses.

8. Internal Consultees

- 8.1 Archaeology and Transportation have made comments which have been addressed and recommended conditions.
- 8.2 Environmental Health – no objections subject to conditions that windows on rear (south facing) elevation are obscurely glazed, triple glazed and non-opening and no vents, trickle vents or mechanical air intakes are installed. Details of sound insulation should also be submitted.

9. External Consultees

- 9.1 The Coal Authority, Severn Trent Water and the Police have no objections subject to conditions.

10. Legal Implications

10.1 Planning obligations must now as a matter of law comply with the following tests namely they must be:

- 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

(LD/16042014/A)

11. Appraisal

11.1 The principle of the residential development is appropriate.

11.2 The site and the surrounding area are identified within the Black Country Core Strategy (BCCS) Evidence Appendix 2 as Housing and Employment and in the emerging Bilston Corridor Area Action Plan (AAP) as a location for residential development. Consequently the proposals are consistent with BCCS policies HOU1 and HOU2 and the emerging AAP.

11.3 The site is adjacent to a scrap yard which could potentially result in noise disturbance to future occupiers of the adjacent dwellings.

11.4 However, the layout has been designed such that the apartment block closest to the noise source would be 98.5 metres in length which would provide a barrier for noise disturbance to other dwellings within the site.

11.5 Any noise disturbance to occupiers of the apartment block closest to the scrap yard could be mitigated against by the installation of non opening windows, triple glazing and obscurely glazed windows on the rear elevation which can be conditioned. This is acceptable and the proposal would be consistent with UDP policies H6 and EP5.

11.6 Subject to some minor changes to the proposed boundary treatment which could be dealt with by condition, the design and layout is acceptable and would accord with design policies in the UDP.

11.7 The layout would result in the loss of a mature Lime covered by a preservation order and one Holly and two Sycamores. The loss of these trees would be mitigated against by replacement trees elsewhere within the development which is acceptable.

11.8 In accordance with development plan policies there is a requirement for the following:

- Affordable housing at 25%
- Off-site open space and play - £ 110,847
- 10% Renewable energy
- Public Art
- Management company
- Targeted recruitment and training

11.9 The applicant has requested that the financial requirements are waived on the basis of financial viability and has submitted a financial viability appraisal, which is being assessed by the District Valuer. It would be appropriate and in accordance with local

and national policy to reduce S106 requirements commensurate with the lack of financial viability.

12. Conclusion

12.1 Subject to a S106 agreement and conditions as recommended, the proposal would be acceptable and in accordance with the development plan.

13. Detailed Recommendation

13.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 14/00194/FUL subject to:

(i) if the development is financially viable, the applicant entering into a Section 106 Agreement for the following:

- Affordable housing at 25%
- Off-site open space and play - £110,847
- 10% Renewable energy
- Public Art
- Management Company
- Targeted recruitment and training

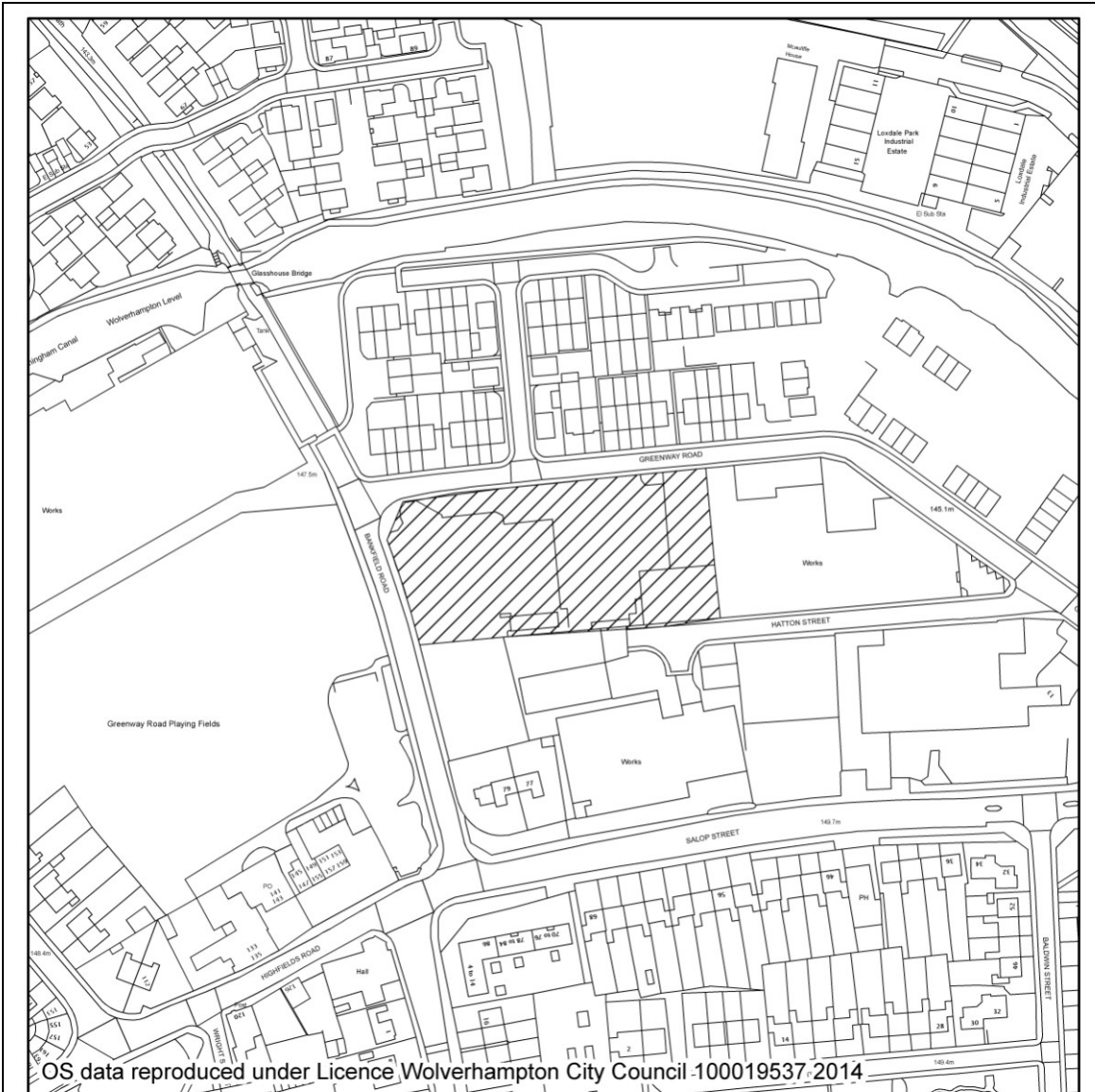
(ii) if the development is not financially viable:

A reduction in Section 106 requirements commensurate with the shortfall in viability on a pro-rata basis for all dwellings that are ready for occupation within 3 years of the date that a lack of viability is established, with the full (pro-rata) requirement falling on all dwellings that are not ready for occupation by that date.

(iii) any appropriate conditions including:

- cycle parking
- implementation of landscaping
- written brief for archaeology
- coal authority
- boundary treatment
- tree protection measures
- no dig around protected trees
- heavy duty footway crossing completed prior to occupation
- drainage
- specification for glazing on south elevation
- south elevation windows obscurely glazed
- south elevation windows shall be non-opening
- remove permitted development rights for rear extensions on plots 24 to 35
- site investigation
- no vents, trickle vents or air intakes on south elevation

- sound insulation
- hours of construction



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