

Planning application no.	20/00361/FUL	
Site	Land south of Halfway House, 151 Tettenhall Road, Wolverhampton, WV3 9NJ	
Proposal	Erection of nine houses with car parking	
Ward	Park;	
Applicant	Saba Ananthram (Lyric Limited)	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Phillip Walker	Senior Planning Officer
	Tel	07970316918
	Email	phillip.walker@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Background

- 2.1 Halfway House ceased trading as a public house in February 2008. The building is now used as a pharmacy and dental surgery (Planning Permission Ref.12/00596/FUL). The land at the rear of the Halfway House building, which was the pub beer garden, includes a car park for the businesses, and the remaining land is overgrown and unused.
- 2.2 The planning permission granted for the pharmacy and dental surgery at Halfway House also allowed a medical centre to be built on the current application site. Although not implemented the permission for the medical centre remains extant.
- 2.3 A planning appeal was allowed at the application site, for the erection of twenty apartments, car parking and amenity space (Ref. 15/01422/FUL) on 3rd February 2017. The Planning Appeal Inspector identified the main issue, as the effect of the proposal on highway safety and concluded that whilst visibility onto the road from the existing Paget Road access is poor, the development would not be likely to cause any greater harm to highway safety than that which could result from the extant planning permission. An application for an award of costs against the Council in respect of the appeal was

allowed. In his decision to allow costs, the Inspector stated, "I consider that the refusal of planning permission on the grounds of an intensification of the access and an increased risk to highway safety, amounts to unreasonable behaviour on behalf of the Council. Furthermore the appellant has been faced with the unnecessary expense of proceeding with the appeal and commissioning an additional Highway Statement. Therefore I find that unreasonable behaviour resulting in unnecessary or wasted expense, has been demonstrated and that a full award of costs is justified".

2.4 The planning permission for 20 apartments has now expired without being implemented.

3.0 Application site and details

3.1 The proposed development would be located behind the Halfway House, which is located on the corner of Tettenhall Road and Paget Road. The access to the application site would utilise the existing Paget Road access.

3.2 There is a brick wall on the Tettenhall Road boundary and a line of protected Lime trees. There are other protected trees within the site. The houses and back gardens of properties on Paget Road and Tettenhall Road adjoin the north-western and eastern site boundaries. Cranmore Road, a cul-de-sac, which includes two storey housing, is to the rear of the site and is at a lower gradient than the application site.

3.3 The site is located in the Tettenhall Road Conservation Area and the Halfway House is identified on the Council's 'local list' of buildings of historic interest.

3.4 The application proposes the erection of nine, two storey houses. These include three pairs of semi-detached houses and three detached houses. The houses would be constructed from external materials including red brick with grey window frames and rainwater goods. Each property would include in-curtilage car parking and private gardens.

3.5 The properties would be arranged in a cul-de-sac layout and there would be no through route to Cranmore Road. Two pairs of semi-detached houses (Plots 1 to 4) would be set back from Tettenhall Road behind the existing wall and trees. The existing Tettenhall Road wall is proposed to be increased in height to improve privacy for residents. Matching brickwork is proposed for the alterations to the wall.

3.6 To the south of the Halfway house a car park with 14 spaces is proposed to serve that building.

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 Other relevant policy documents:

SPG No.3 Residential Development

5.0 Publicity

5.1 Eleven objections (including objections from Councillor Darke and Councillor Hardacre) and one neutral comment received. Comments summarised as follows:

- Unacceptable access onto Paget Road, including for construction traffic and emergency vehicles / detrimental to highway and pedestrian safety
- Insufficient parking / likely to result in on-street parking and traffic congestion
- Houses are out of keeping with the character and appearance of the Conservation Area
- Overdevelopment of the site
- Insufficient information to demonstrate design quality of development proposal
- Unacceptable neighbour impact; overbearing, overlooking, noise, loss of light/outlook/privacy
- Drainage / flooding concerns
- Loss of trees, some of which are protected / Harm to wildlife

6.0 Consultees

6.1 Ecology, Severn Trent Water Limited, Transportation – No objection.

7.0 Legal implications

7.1 When considering planning applications the National Planning Policy Framework states that there should be a presumption in favour of sustainable development. As detailed in the body of this report, consideration has been given to satisfying the plan making and decision making frameworks.

7.2 The Local Planning Authority can impose planning conditions where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. JA/280820/D

8.0 Covid Implications

8.1 There are no Covid implications arising from the recommendations of this report.

9.0 Appraisal

9.1 The key issues are:

- i. Design and impact on the Conservation Area
- ii. Neighbour Amenity
- iii. Access and parking
- iv. Trees

Design and impact on the Conservation Area

9.2 The site is within the Tettenhall Road Conservation Area (TRCA). Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, with regard to

conservation areas, “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

- 9.3 The TRCA is generally characterised by large 19th century buildings or terraces fronting Tettenhall Road. The scale of the proposed buildings would complement that of the other nearby buildings in the TRCA and additionally would be largely screened by a row of protected Lime trees on the Tettenhall Road frontage.
- 9.4 The scale of the development would relate appropriately with the locally listed building, and a sufficient separation distance exists between the new housing and the Halfway House, such that the setting of this locally listed building would not be adversely affected. The proposed works to increase the height of the Tettenhall Road wall could be sensitively carried out. As such, the development would preserve the character and appearance of the TRCA.
- Neighbour amenity
- 9.5 The rear garden boundaries of 3, 5 and 7 Paget Road would adjoin closely with a flank wall of a proposed two storey house (Plot 9). At first floor level, in the flank wall of that proposed house, and orientated towards those neighbouring houses, there would be a bathroom window which would be a non-opening, obscure glazed window. In all other respects, the elevation would comprise brickwork. Wolverhampton City Council Supplementary Planning Guidance encourages that usual separation distances between existing habitable rooms and the flank walls, or walls including non-habitable windows such as those serving bathrooms of new houses should be a minimum 12 metres. In this case, 3, 5 and 7 Paget Road, have long rear gardens, of approximately 34 metres, and as such the separation distance between the new house at Plot 9 and the existing occupiers at those neighbouring properties is acceptable.
- 9.6 The rear elevations and gardens of the proposed two storey semi-detached houses at Plots 8 and 9, would be orientated towards the rear garden of 66 Cranmore Road, which the submitted section drawing shows would be approximately 0.6 metre below the ground level of the adjoining land at plots 8 and 9. Because there would be a screen fence and the houses (Plots 8 and 9) would be positioned 11 metres back from the adjoining boundary with 66 Cranmore Road, there would be no unacceptable loss of amenity to the occupiers of that neighbouring property.
- 9.7 The rear facing elevation, including two first floor obscure glazed windows serving non-habitable rooms, of the two storey, detached house at Plot 7 would in part face toward the side flank wall of 66 Cranmore Road. Whilst the house at Plot 7 would be at a higher ground level than that neighbour house, because it would be set back from the shared boundary, behind a screen fence, and facing largely onto the side of 66 Cranmore Road, there would not be unacceptable harm caused to the amenity enjoyed by the occupiers of that neighbouring house, nor would there be an overbearing impact upon the Cranmore Road street scene.
- 9.8 The rear shared private amenity space and parking areas for the flats at 143 Tettenhall Road are close by to the rear elevations of the proposed detached houses at Plots 5 and 6. The proposed rear elevations of those houses have been designed such that they do

not include first floor rear habitable windows. This ensures that there would be no unacceptable overlooking or loss of privacy to the neighbouring amenity areas at 143 Tettenhall Road.

Access and Parking

9.9 There would be sufficient in-curtilage vehicle parking to accommodate the likely demand for resident parking. The proposals also include satisfactory separate parking for customers and staff of the Halfway House businesses.

9.10 Although visibility onto the road from the existing access is poor, the development would not be likely to cause any greater harm to highway safety than that which could result from the extant planning permission. It will however be necessary to condition the provision of "keep clear" road markings at the Paget Road access, and new signage within the site to direct residents, staff and customers of the businesses to turn left, when exiting the site.

Trees

9.11 The proposed development includes for the retention of all but two of the trees along Tettenhall Road. There would be further tree removal elsewhere within the site, but these would be trees which are not particularly high quality or prominent. The loss of the trees could be mitigated by the provision of replacement tree planting (at a ratio of three to one) and this could be conditioned.

10.0 Conclusion

10.1 Subject to conditions, the proposal is acceptable and in accordance with the policies of the development plan.

11.0 Detail recommendation

11.1 Grant subject to the following conditions:

- Materials;
- Landscaping;
- Tree protection measures;
- Tree replacement
- Construction management plan;
- Drainage
- Hours of construction to be between 0800 to 1800 Monday to Friday; 0800 to 1300 Saturday and at no time on Sundays or Bank and Public Holidays
- Boundary treatments (including details relating to the proposed alteration work to the Tettenhall Road wall)
- Structural stability report for Tettenhall Road wall
- Provision and retention of car parking and cycle/motorcycle parking
- Existing ground levels and proposed finished ground floor levels
- Bin stores
- Obscure glazing to be provided and retained thereafter, for bathrooms, WCs and other windows as indicated on approved plans
- No additional windows or openings (other than those shown on approved plans)

- Ecological protection measures; including clearance works to be carried out under the supervision of an ecologist
- External lighting
- Car park signage
- External materials
- Provision of “keep clear” road markings at Paget Road access
- Signage within site to direct residents and staff and customers of the businesses to turn left when exiting the site
- Provision of electric vehicle charging points

