



Planning Committee

2 June 2015

Planning application no.	15/00289/FUL
Site	The Clock House, 5 Stockwell Road, Tettenhall,
Proposal	Demolition of existing building and erection of 22 retirement living apartments
Ward	Tettenhall Regis
Applicant	McCarthy & Stone Retirement Lifestyles Ltd
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards, Service Director, City Assets
Planning officer	Name Andy Carter Tel 01902 551132 Email andy.carter@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Refuse.

2. Application site

2.1 The application site comprises one house, is 0.45ha in area, and is located two miles north west of Wolverhampton City Centre in a primarily residential area. The site is part of the Tettenhall Greens Conservation Area and is bounded by protected trees.

3. Application Details

- 3.1 The proposals are to demolish the detached house and construct 21 two bedroom apartments and a one bedroom apartment within a three to four storey building. The proposals would also include a residents' lounge, parking for 25 vehicles, and a re-landscaped garden incorporating the ornamental clock tower; which is a replica of the grade II listed structure on Tettenhall Greens.
- 3.2 A traffic calming measure is proposed within Stockwell Road, to ensure safety for pedestrians and drivers, and ensure the development would not have a significant impact on the road network.

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)
Tettenhall Neighbourhood Plan (TNP)
- 4.3 Residential Development SPG
Tettenhall Historic Landscape Character Study

5. Publicity

- 5.1 A total of 238 representations have been received, 234 object and 4 support. A petition in objection has also been received with 167 signatures. A summary of the objections is set out below:

- Out of character with the surrounding area;
- Impact on the Conservation Area;
- Harmful to views from Stockwell Road and Tettenhall Green
- Increase in traffic on Stockwell Road and connecting roads
- Insufficient parking provision
- Retirement living not needed
- Inadequate developer consultation
- Proposals in conflict with the Neighbourhood Plan
- Loss of trees and natural habitats

- 5.2 A summary of the supporting comments is set out below:

- Retirement living is needed in the area

6. Internal Consultees

- 6.1 Historic Environment and Transportation – Refer to appraisal
- 6.2 Environmental Health and Landscape & Ecology – No objection
- 6.3 Archaeology – No objection

7. Legal Implications

Conservation Area

- 7.1 When an application is situated in or affects the setting of a Conservation Area by virtue of Section 72 and Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority

must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Protected Species

- 7.2 The Planning Authority is a competent authority for the purposes of The Conservation of Habitats and Species Regulations 2010 (“the Habitat Regulations”) and the Planning Authority is under a duty to have regard to the Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) in the exercise of its function so far as any requirements of the Habitats Directive may be affected by the exercise of those functions. Planning authorities should give due weight to the presence of protected species on a development site to reflect these requirements in reaching planning decisions. Regulation 40 of the Habitats Regulations defines European Protected Species. For example Great Crested Newts and Bats are a protected species and are in addition also protected under part 1 of the Wildlife and Countryside Act 1981
- 7.3 It should be noted Paragraph 99 of Circular 06/2005 Biodiversity and Geological Conservation - Statutory Obligation and their impact within the Planning System provides that it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all the relevant material considerations may not have been addressed before making the decision. The need to carry out ecological surveys should only be left to planning conditions in exceptional circumstances.
- 7.4 In addition, Badgers are protected under the Protection of Badgers Act 1992. Disturbing a badger set, adversely affecting foraging territory or links between them or significantly increasing the risk of road or rail casualties are capable of being material planning considerations. KR/20052015/S
- 7.5 Section 106 planning obligations must meet all of 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.

8. Appraisal

8.1 The key issues are:-

- Impact on the Tettenhall Greens Conservation Area
- Impact on protected trees
- Impact on neighbouring properties
- Impact on the visual character of the Green Belt
- Highways and parking
- Need for the development
- Ecology
- Archaeology
- Developer consultation

- Section 106 requirements

Impact on the Tettenhall Greens Conservation Area

- 8.2 The Clock House is of limited historic and architectural interest and makes a neutral contribution to the character and appearance of the conservation area. The demolition and redevelopment of the site would therefore be acceptable in principle.
- 8.3 The existing view from Stockwell Road through The Cedars is one of open space against a backdrop of trees, with limited obstruction from buildings. The openness of the site within this view makes a positive contribution to the character and appearance of the conservation area. The massing and position within the plot of the proposed development would result in the loss of this important view, and would fail to preserve or enhance the character or appearance of the conservation area.
- 8.4 The view looking north-east from the public open space (Tettenhall Greens) towards the rear of the site includes the clock tower. The clock tower appears as a prominent feature within the view when the trees are not in leaf. The proposed development would be located approximately 25 metres closer to the clock tower than the existing building. The proposed development would impact on the open appearance of the site from the public open space and would harm the setting of the clock tower, reducing its visual impact within the landscape. The massing and position within the plot of the proposed development would result in harm to this view and would therefore neither preserve nor enhance the character or appearance of the conservation area.
- 8.5 Stockwell Road has a distinctive character created by the flanking boundary walls and mature trees, giving it a semi-rural feel. The provision of traffic calming measures, to slow vehicle speeds and improve driver visibility (ensuring safe access and egress to the site), would erode the character of this historic lane, and would adversely impact on the character and appearance of conservation area.
- 8.6 The application suggests that the proposed development is an attempt to reflect the design vocabulary and scale of the 19th century villas (16-24) on the opposite side of Stockwell Road.
- 8.7 The Stockwell Road elevation would comprise a continuous frontage, 34m in length and three storeys in height with an additional storey within the roof space. The building would have a depth of 22m and a central ridge height of 13m. The footprint of the proposed building is 800sqm approx. and would be significantly greater than any other property within the Stockwell End Character Area, and out of character with the built form of the area. Number 20 Stockwell Road, one of the locally listed villas opposite the site, occupies a footprint of approximately 165sqm.
- 8.8 The frontage widths of the Victorian villas are between 11 and 13.5 metres, approximately one third that of the proposed development. The three storey elements of the 19th century properties are limited to the principal frontage elevations. The historic buildings are a composition of small scale elements that reduce in scale from three storeys at the front to single storey at the rear. This arrangement breaks down the mass of the buildings.

- 8.9 The proposed development would be three to four storeys from front to rear. The massing is not consistent with that of the historic buildings in the area. The scale (massing) of the proposed building would be significantly greater than any other building within the Stockwell End Character Area.

Impact on protected trees

- 8.10 The site is characterised by mature trees which make a positive contribution to the Conservation Area. The location of the parking spaces would lead to soil compaction beneath the protected trees and result in damage to roots. The proximity of the proposed building to the protected Horse Chestnut within the rear garden of 2 The Cedars would lead to a loss of light to the apartments on the south elevation, and would likely result in demands for the reduction of the canopy or the felling of the tree.

Impact on neighbouring properties

- 8.11 The proposed building is 29m north of the rear elevation of 2 The Cedars. This separation is sufficient to negate overbearing, and loss of light. Secondary windows within the proposed side elevation would ensure loss of privacy is kept to an acceptable minimum.

Impact on the visual character of the Green Belt

- 8.12 The rear boundary of the site forms the boundary with the green belt. The proposed height, mass and scale of the building would make the site more conspicuous from the green belt than the current dwelling. The proposals would therefore result in harm to the visual amenity and visual character of the part of the green belt comprising Tettenhall Greens.

Highways and Parking

- 8.13 The parking provision is for 25 spaces, and a cycle storage area. The development would also require traffic calming to ensure vehicles could safely enter and exit the site. The proposed quantum of spaces and highway safety solution are acceptable and consistent with policy.

Need for the development

- 8.14 This part of Tettenhall is characterised by large properties, some of which are for family housing, while others have been sub-divided into apartments. The area has an ageing population and the type of residential accommodation proposed would add to the stock and variety of dwellings which are needed to allow people to stay in the area whilst downsizing. The Tettenhall Neighbourhood Plan has identified a need for this type of housing.

- 8.15 Ecology

The proposals would result in a pond and disused swimming pool being removed, both of which currently provide habitats. A replacement pond would be provided within the proposals. A badger sett would also need to be closed down, and bat boxes erected. These aspects would be overseen by Natural England.

Archaeology

- 8.16 The potential archaeology on the site is unlikely to be a major constraint upon the proposed development, and could be dealt with as a condition of planning permission.

Community Consultation

- 8.17 The Tettenhall Neighbourhood Plan requires the developer to undertake pre-application consultation with an appropriate cross-section of local people and to report the process in the form of a Report of Community Involvement. The pre-application consultation carried out by the applicant met this requirement.

Planning Obligations

- 8.18 There is a policy requirement for the following to be secured through either a S106 agreement or planning condition:
- Traffic Regulation Order for traffic calming and 20 mph limit
 - Affordable housing (25%)
 - 10% renewable energy
 - Management company for communal areas
 - Targeted recruitment and training

9. Conclusion

- 9.1 The proposed development would fail to preserve or enhance the character and appearance of the conservation area, and would not be in accordance with the development plan. It would also have a negative impact on the condition of protected trees.

10. Detailed Recommendation

- 10.1 That application 15/00289/FUL be refused for the following reasons:

1. The scale, mass and height of the proposed building are out of character with the area, resulting in a loss of important views. The proposed highway calming in Stockwell Road would have a detrimental impact on the character of that route. The proposed parking and proximity of the building would have a negative impact on the protected trees on the site, and also the protected Horse Chestnut Tree in the rear garden of 2 The Cedars. The proposals therefore fail to preserve or enhance the Tettenhall Greens Conservation Area.

Relevant policies: BCCS policies ENV2 and ENV3, UDP policies HE1, HE3, HE5, D6, D7, D8, and G3, TNP policies TNP12 (Parts A, B & D), NPPF paragraphs 131, 132 & 134.

(PUBLIC
Not Protectively Marked)

